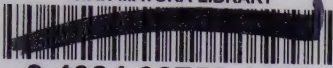


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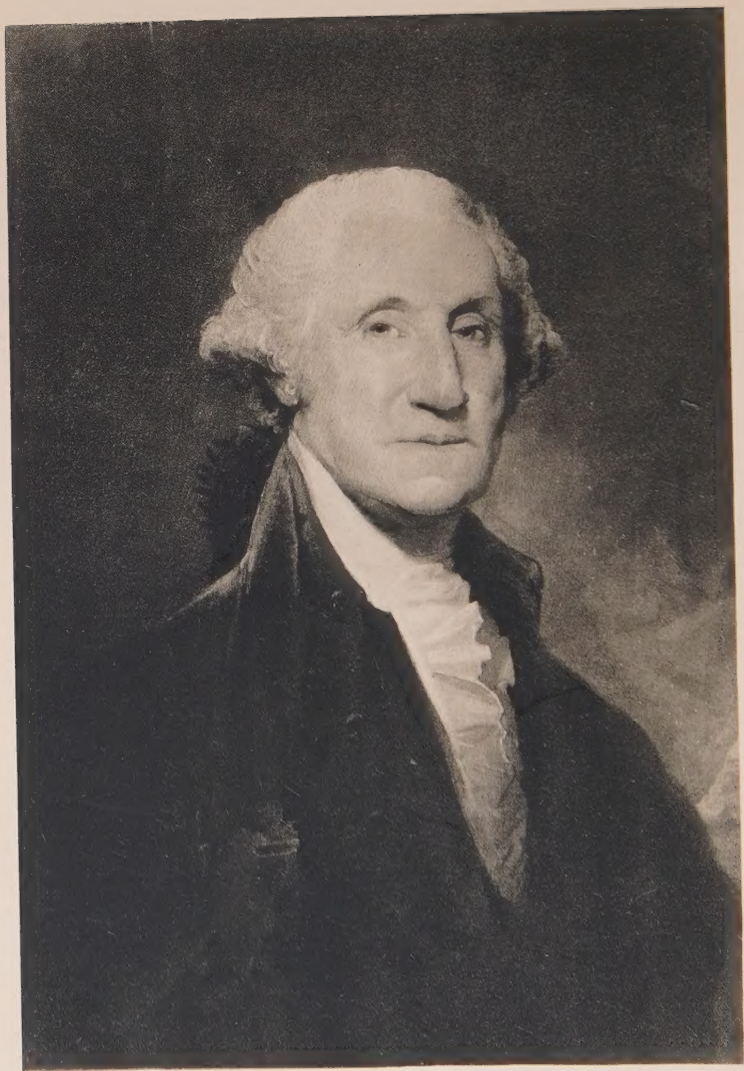
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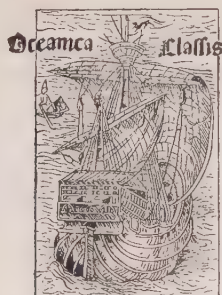
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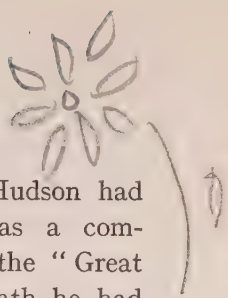
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PUBLISHERS' NOTE



THE late Professor William Henry Hudson had undertaken to write this volume as a companion to his history of France in the "Great Nations" series, but at the time of his death he had finished only the sections up to and including the administration of John Adams. It was necessary, therefore, to entrust the completion of the work to another, and the thanks of the Publishers are due to Mr Irwin S. Guernsey for the larger share contributed by him.

Thanks are due also to Messrs D. C. Heath and Co. for the provision of all but two of the maps (acknowledged separately) from *A History of the United States*, by Henry Eldridge Bourne and Elbert Jay Benton, and *A History of the People of the United States*, by Waddy Thompson.

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BOOK I

THE AMERICAN COLONIES

TO 1763

CHAPTER I

“THE NEW WORLD CALLED AMERICA”

TO those hardy adventurers, the ancient Norsemen, whose light, swift ships found their way over many seas, undoubtedly belongs the honour of having been the first of Europeans to set foot on American soil. It was in the year 1000, according to the Icelandic sagas, that Leif, the son of Eric the Red, with thirty-five companions, sailed south-west from his father's settlement in Greenland—in search, one story says, of a strange land which had been sighted by Bjarni Herjulfson more than a decade before;¹ came presently to a barren country which he called Helluland, or the Land of Flat Stones—perhaps Labrador; then after some days to a thickly wooded country, which he called Markland or Woodland; and so onward till he reached “a place where a river flowed out from a lake,” and which is variously supposed to have been somewhere on the coast either of Nova Scotia or of New England. This region he called Vinland, from the wild grapes which abounded there, and it afterward came to be known as Vinland the Good. There he wintered, returning home in the spring with a cargo of timber, and as timber was much needed by the colonists in Greenland, other voyages in quest of it were made. But if any settlements were planted, which is extremely unlikely, they were only temporary, and in time all communication between Greenland and the land to the south-west appears

¹ The voyage of Bjarni is referred to only in a later saga, known as the *Flatey Book*, and may be mythical. For the Norse discovery of America see in detail A. M. Reeves, *The Finding of Vineland the Good*.

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to have ceased.¹ The Norse discovery of Vinland, therefore, though it provides a fascinating subject for inquiry and speculation, had no bearing upon the later opening up of the New World.² Permanent contact between the Eastern and Western hemispheres was not established till the end of the fifteenth century, when, under the combined influence of the Renaissance spirit of curiosity and adventure, the rivalry of nations, and the thirst of gain, the great era of geographical exploration began. The discovery of America was by far the most important result of the new maritime enterprise, but strangely enough it was brought about only by a happy accident, the significance of which the world was slow to realize.

MARITIME ENTERPRISE OF THE FIFTEENTH CENTURY

For many centuries there had been active commercial intercourse between Europe and the Far East, and from India and Cathay (as China was then called) gold, silver, precious stones, shawls, drugs, indigo, and spices had poured into the markets of the Western nations. Till the middle of the fifteenth century the great trade-routes had been by caravan through Central Asia and the Balkans, or by sea across the Indian Ocean and thence overland across Egypt. But the rapid extension of the Mohammedan power, culminating in the capture of Constantinople by the Ottoman Turks in 1453, blocked these highways of communication with the Orient, while at the same time Turkish corsairs in the Mediterranean made traffic increasingly dangerous to Christian ships. Thus, commercial disaster threatened the Italian

¹ The last positive mention in extant Icelandic vellums of a voyage to Vinland is of one made in 1121. There is, however, an entry in the *Elder Skúlholt Annals* which tells us that in 1347 "there came a ship from Greenland" with "seventeen men on board" who "had sailed to Markland, but had afterward been driven hither by storms at sea"; and, as Reeves says, "the nature of the information indicates that the knowledge of the discovery had not altogether faded from the memories of the Icelanders settled in Greenland" (*op. cit.*, p. 83).

² It has, indeed, been stated that Columbus on an alleged visit to Iceland learned something of Vinland, and that the knowledge so gained inspired him to his own enterprise. But this supposition must be dismissed as baseless.

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cities which had grown rich through Eastern trade and maritime nations, like Spain and Portugal, which had more recently become interested in its development. That disaster could be averted in one way only, and that was by the discovery of a new route to Asia. Was it not possible that Asia might be reached by sailing round Africa? So the Portuguese believed, and in that belief Prince Henry the Navigator between 1420 and 1460 sent out many captains to explore the Southern seas; but it was not till after his death (1463) that Bartolomeu Diaz rounded the Cape of Good Hope (1487), and not till 1498 that Vasco da Gama reached Calicut in Malabar.¹ Meanwhile, however, a question which hitherto had been of speculative interest only had under pressure of circumstances assumed practical importance—the question, namely, of the shape of the earth; for if the earth were indeed a sphere, as some of the ancients had taught, though most of the theologians had rejected the theory as heretical, then by sailing westward an open way to India and Cathay might be found, easier and shorter than that which the Portuguese were trying to discover by way of Africa and Guinea. Thus attention was turned to that great Western ocean, the Mare Tenebrosum, whose stormy waters, thus far entirely unknown beyond the Azores, now tempted the explorer to go forth in search, not of a new continent, but of a convenient trade-route to the Far East.

THE DISCOVERY OF AMERICA BY COLUMBUS

Among those who were convinced that such a route was possible was a Genoese navigator, whose Italian name, Cristoforo Colombo, we have anglicized into Christopher Columbus. How the idea first took shape in his mind we do not know,²

¹ The glory of this achievement was celebrated by Camoens in the national epic of Portugal, *Os Lusíadas*.

² It is supposed that, however it may have originated, this idea was greatly strengthened by the reading of Marco Polo. But it has to be remembered that though Polo's narrative of his travels and long residence in the East was dictated while he was a prisoner in 1299, it was not printed till 1477, when Columbus was a man of forty-two. If Columbus read it in earlier life it must therefore have been in manuscript. Notwithstanding its frequent descents into the fabulous (as in the accounts of tailed men, the great roc, and

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but it is fairly clear that with the characteristic ardour of his generation he had from his very early manhood come to regard this westward voyage to India in the light of a mission. In order to obtain confirmation of his theories he wrote to Paolo Toscanelli, the most celebrated physicist of the time, and Toscanelli in reply sent him a copy of a letter and a chart which he had previously dispatched in answer to similar inquiries to a member of the household of the King of Portugal. The chart, unfortunately, is lost,¹ but we know that it "showed, on one side, all the coasts from Ireland to Guinea, with the islands; and on the other side, the continent and isles of the Indies, with the distances which must be traversed to reach them."² Furthermore, as the letter explains, the chart was divided by meridian lines into equal spaces of 150 miles; there were twenty-six such spaces, or 3900 miles, between Lisbon and the famous city of Quisai—Marco Polo's Quinsay, and now Hangchau, south of Shanghai;³ while ten spaces, or 1500 miles, separated the island of Antilia (one of the fabled islands of the Mare Tenebrosus) from Cipango or Japan: whence Toscanelli's encouraging conclusion that "the spaces of the sea to be crossed to the unknown parts are not large." This communication undoubtedly deepened Columbus' faith in his own judgment, and though for the present he was occupied with other

wine-bearing trees) and its curious omissions (it tells us nothing, for example, about the Great Wall of China, or printing, or the use of tea), Marco Polo's book was incomparably the most substantial contribution to geographical knowledge made by any writer during the Middle Ages. One point in connexion with it is specially noteworthy. According to current medieval theory (as we may see, e.g., in the map of the world by Claudius Ptolemaeus of Alexandria), the eastern edge of Asia was supposed to be bounded by immense impenetrable marshes. Marco Polo, on the other hand, describes it as being washed by the waters of a great ocean, and as therefore accessible to sea-going ships.

¹ Attempts have been made to restore it in general outlines. One such conjectural reproduction will be found in Winsor's *Narrative and Critical History of America*, vol. ii.

² C. R. Markham, *Life of Columbus*, p. 31.

³ Toscanelli's descriptions of "la nobilissima e gran città di Quisai . . . della quale si narrano cose maravigliose," and of Cipango, "la quale isola è fertilissima di oro, di perle, e di pietre preziose," are evidently derived from Marco Polo.

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voyages his great scheme was always in his mind. But he needed financial and political support to carry it into execution, and this he found it extremely difficult to obtain. It was not, indeed, till after many years of bitter disappointment, when his patience was almost exhausted and his courage nearly broken by the failure of his appeals first to John II of Portugal, then to Henry VII of England, and then to Charles VIII of France, that through the good offices of a few powerful personages at the Spanish Court he gained the attention of Ferdinand and Isabella, and was at length, at the age of forty-six or thereabouts,¹ enabled to put his proposals to the test. Ample funds to equip his expedition were now provided ; he was made grandee of Spain, Admiral of the Ocean, and viceroy and governor-general of all the lands and islands he might discover on his voyage ; while it was further specified that he should have a tenth part of all the precious metals brought to light within his jurisdiction. His agreement with the Spanish monarchs was signed on April 17, 1492. On August 3 he sailed from Palos with three vessels and a complement of ninety officers and men, bound for Cipango, Cathay, and India. He held a south-westerly course for the Canary Isles, where he repaired and reprovisioned his fleet ; left them on September 6 ; and on October 11-12 sighted an island which he called San Salvador, and which is now generally identified with Watling Island in the central Bahamas group. Thence he sailed on amid many small islands to Cuba and Haiti, which he named Española ; and so certain was he now that he was approaching the territories of the Grand Khan that he actually dispatched envoys into the interior with greetings from his own sovereigns to the king of the country.² Finally satisfied that he had indeed reached the Indies and thus accomplished the

¹ It is almost certain that he was born in 1446 or 1447.

² These envoys on their fruitless journey were surprised to see men and women inhaling the smoke of smouldering herbs, rolls of which they held in their mouths. This was the first European acquaintance with tobacco, the earliest recorded mention of which is to be found in an entry in Columbus' diary, November 20, 1492. See Fernandez de Navarrete, *Colleccion de los Viajes y Descubrimientos que Hicieron por Mar los Españoles*, tom. i, p. 51.

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immediate purpose of his quest,¹ he then set sail again for Spain, arriving at Palos on March 15, 1493. After this Columbus made three more voyages to the same regions. On the first of these (1493-96) he came to some gold-mines which led him to believe that he had found the Ophir of Solomon.² On the second (1498-99) he sailed round Trinidad into the Gulf of Paria, and so discovered the mainland of South America and, as he was persuaded, the entry to the Earthly Paradise. By this time, however, his credit was on the wane. The wonderful reports which he had brought back with him from his first expedition had been received with the wildest enthusiasm ; but reaction had now set in ; he had aroused vast hopes of gain, and because the wealth which he had promised was not at once forthcoming—because, in fact, his explorations thus far had meant repeated outlay instead of immediate profit—he was universally abused.³ Then came the startling news that while he had been wasting his efforts in the estuary of the Orinoco Vasco da Gama had sailed into Calicut, and that thus the Portuguese had beaten their competitors in the race to India. In the hope of delivering a counterstroke Columbus in his fourth and last voyage (1502-4) made a determined attempt to find a passage to the Indian Ocean ; but in this he failed, and his failure was the end of his career. He died in 1506, broken in spirits, neglected and poor. Whether at the last he had any inkling that the lands he had discovered belonged not to Asia, but to an entirely different continental system, remains doubtful ;⁴ but it is at least certain that he never realized the significance of what he had accomplished in a life-work which seemed to him to have ended in tragic disaster. Another point commonly overlooked may be noted in passing. If on his first voyage he had steered due west in strict

¹ The names ' West Indies ' for the islands he had discovered and ' Indians ' for the aboriginal inhabitants of America in general survive from this delusion.

² See *Select Letters of Columbus* (Hakluyt Society), p. 197.

³ See his letter to the King and Queen of Spain in 1503, in *Select Letters*.

⁴ There are some grounds to believe that from the time of his second voyage he began to have suspicions on this point. See J. Winsor, *Christopher Columbus and how he received and imparted the Spirit of Discovery*, p. 293.



CHRISTOPHER COLUMBUS

16

There is no authentic portrait of Columbus. For the past eighty years the subject could appear to have been so engraving himself as the only person.

Reproduced by courtesy of the Metropolitan Museum of Art, New York

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accordance with his own theory, his landfall would have been, not in the West Indies, but somewhere on the coast of North Carolina or Virginia. What might have been the result it is, of course, idle to conjecture. But we must not forget that he never saw any part of North America, and did not even know of its existence.

THE DISCOVERY OF NORTH AMERICA BY JOHN CABOT

In the early days of maritime activity it was evident that trouble might easily arise through the rival claims of the Spanish and the Portuguese, and in order to prevent this, and incidentally to secure for these two countries the full control of both the Eastern and the Western route, Pope Alexander VI issued his famous Bull of Partition (May 4, 1493), by which he drew an imaginary line down the Atlantic, and assigned all new territory east of it to Portugal and west of it to Spain.¹ But this attempt at the amicable settlement of all possible future differences did not deter other nations from entering the exploring field. Another Genoese, Giovanni or John Cabot, having failed to interest the rulers of Spain and Portugal in his scheme for finding a North-west Passage to India, appealed to Henry VII of England, at whose Court there was "great talk" of Columbus' wonderful achievement in discovering "the coasts of India,"² and in March 1496 he obtained for himself and his three sons letters-patent empowering him to take possession in that king's name of any unknown countries they might visit on their proposed expedition. In May 1497 Cabot sailed from Bristol in a small ship which is supposed to have been named the *Matthew*; on June 24 he sighted Cape Breton Island; thence, it is alleged, he sailed southward along the coast for 300 leagues; which done he returned to England to report. The next summer—"ever with intent to find the said passage to India"—he set out again from Bristol, this time with five

¹ With the annexation of Portugal by Spain in 1581 this Bull ceased to be of any account even theoretically. Practically, of course, it had long before this proved valueless.

² Sebastian Cabot.

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ships ; but nothing more was ever heard of him or his fleet. Everything connected with these voyages is extremely uncertain, but meagre as our information is it justifies us in regarding Cabot as the discoverer of North America. The importance of his discovery lies in the fact that it provided the foundation of the English claims on that continent, and in particular of the claim against the Dutch.¹

FURTHER EXPLORATIONS DURING THE SIXTEENTH CENTURY

Of the many westward expeditions made early in the sixteenth century by some of the former companions of Columbus, like Alonzo de Ojeda, Juan de la Cosa, Alonzo Niño, and Vincente Yañez Pinzon, and by such other navigators as Diego de Lepe and Rodrigo de Bastidos, it is scarcely necessary to speak, though note should be taken of the voyages of the Portuguese brothers Gaspar and Miguel Cortereal, who are supposed to have reached Newfoundland and to have sailed down the coast as far as Chesapeake Bay (1500-2), and of the signal achievement of Vasco Nuñez de Balboa, who, crossing the Isthmus of Darien, was the first of Europeans to sight the Pacific (September 1513).² Then came the epoch-making performance of Fernão de Magalhães or Magellan and his lieutenant, Sebastian del Cano. Magellan was a Portuguese by birth, but, disgusted by the

¹ As the Milanese ambassador in London wrote to his Government at the time, the English king had "acquired a part of Asia without drawing his sword" (*Documents relating to the Voyages and Discoveries of John Cabot*, Hakluyt Society, pp. 201-206). It is curious that the matter came up as late as 1889 in a lawsuit brought by some owners of property on the famous New York thoroughfare the Bowery against the New York Elevated Railroad Company for damages for cutting off air, light, and access. The company pleaded that the property had been sold at the time of the Dutch occupation, and that under Dutch law no claim for such damages could be maintained. This argument, which seems rather far-fetched to the lay mind, was, however, overruled by the court, which held that the Dutch had never been in lawful possession of the city, owing to the prior English title which originated in Cabot's discovery and was confirmed by the Virginia grant of 1607. See the case of *Mortimer v. The N.Y. Elevated Railroad Co.*, in 6 *N.Y. Supplement*, 898.

² By a singular slip of the pen Keats in his sonnet *On first looking into Chapman's Homer* ascribed this feat to Cortes instead of to Balboa, and thus so far as the general reader is concerned did much to deprive the true discoverer of the honour which is his due.

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treatment which he had received from his own king, he enlisted in the service of Charles I of Spain (better known as the Emperor Charles V), under whose flag he undertook a voyage in quest of a waterway through or round the Western lands to the Moluccas. Sailing with five ships, all old and rotten, in August 1519, he made direct for Patagonia; in October-November 1520 threaded the strait which bears his name and entered the vast ocean which, on account of the calm weather he found there, he rather precipitately called Mar Pacifico; and in April 1521 reached the Philippines. There he was murdered either by savages or, more probably, by mutineers among his own men. But his work was taken up by Del Cano, who crossed the Indian Ocean, sailed round the Cape of Good Hope, and in September 1522 landed in Spain, having accomplished one of the great feats of history, the first circumnavigation of the globe.

Finally, and for one very obvious reason, mention must be made of the voyages of Amerigo Vespucci, otherwise Americus Vespucius. After all that has been written about him, this Vespucci remains a rather mysterious person, regarding most accounts of whom we can only say, in the words with which Froude closed his *Life of St Neot*, that this is all that is known about him—and more. A Florentine merchant and provision contractor, he seems to have been already a man of middle age before he took to the sea, but after that, if the records be trustworthy, he must have followed his new calling with great enthusiasm. Just what he actually accomplished in his numerous expeditions has been the subject of ceaseless and often acrimonious controversy, but the claim has been advanced on his behalf that he visited among other regions the coasts of Florida and Brazil.¹ His chief interest, however, lies in the use which was made of

¹ The fact may be recalled, as helping to connect the widespread interest in maritime discovery with the general intellectual movement of the Renaissance, that his own narrative in his *Quattuor Americi Vesputii Navagationes*, "then in every man's hand," was the starting-point of More's *Utopia* (1516). It will be remembered that More represents his Raphael Hythlodaye as one of the companions of Vespucci, by whom he was left among the settlers in Brazil, whence he made his famous journey into Utopia.

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his name. In a letter written in 1503 to Lorenzo de' Medici, Vespucci himself says : " I have found a continent in that southern part more populous and more full of animals than our Europe, or Asia, or Africa, and even more temperate and pleasant than any other regions known to us " ; and then, referring to these new countries from which he had just returned (*ab novis illis regionibus*), he goes on to assert that it is proper to call them a new world (*quasque novum mundum appellare licet*). This letter, under the title of *Mundus Novus*, was published in small quarto in 1504, was very widely circulated, and naturally found its way into the hands of the geographers and map-makers, who were numerous and busy at the time ; and thus his name came to be attached to this New World which he was supposed to have discovered, and which (as the first writer so to employ it declares) " may well be called Amerige, which is as much as to say the land of Americus or America." ¹

¹ Waldseemüller (otherwise Hylacomylus), *Cosmographiae Introductio*, 1507. How soon the name reached England is shown by the speech of Experience in the morality of *The Four Elements* (circa 1510-15) :

" But this new lands found lately
Been called America, because only
Americus did first them find."

About the same time the first account of America in English appeared in an anonymous book printed in Antwerp in 1511 and entitled *Of the Newe Lands and of the People found by the Messengers of the Kyng of Portyngale*, and in this the word is given, probably through a misprint, as " Armerica " (Arber, *The First Three English Books on America*). There were, however, doubts as to the propriety of the name, and these lingered for many years. Thus, as late as 1600 we find Hakluyt writing in the Epistle Dedicatory to the third volume of the second edition of his *Principall Navigations* : " The fourth part of the world, which more commonly than properly is called America." Though Vespucci did not die till 1512 it seems probable that he knew nothing of the use which was made of his name, and fairly certain that there is no ground for the charge sometimes brought against him of having connived with others to rob Columbus of the honour to which, as between the two, Columbus had the better title. Even after this the idea of a New World across the Atlantic only very slowly displaced the earlier notion that the lands which had been discovered were an outlying portion of Asia. This notion was not completely exploded by Balboa's discovery of the Pacific or even by the voyage of Magellan and Del Cano. The phrase ' New World ' was, however, coming into use, and it was adopted by More in *Utopia*. Extant maps of the time " establish the fact that as early as the first years of the sixteenth century

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It should, however, be noted that though the name soon became established it was at first applied only to the lands south of the equator. But gradually, as the idea gained ground that all the newly discovered countries in the West were parts of a single independent continental system, its use was extended to the whole mainland and the adjacent islands. In Mercator's map of 1541 it is employed for both the southern and the northern portions of the system.

THE SPANISH IN AMERICA

Even when, little by little, it came to be understood that the New World was not connected with Asia, the importance of the fact was by no means appreciated. America was regarded merely as a barrier between Europe and the East, and to find the shortest route round it or through it was the inspiring purpose of most of the exploring expeditions undertaken for nearly a century, including those of the English seamen of whom we shall speak presently.¹ The search was futile, but each succeeding voyage added something to the increasing fund of knowledge of the American coast.

Thus preoccupied with their Asiatic visions, men thought little of the untried possibilities of the New World itself. From the beginning of the sixteenth century, indeed, fishermen from Normandy, Brittany, Portugal, and England had little settlements with huts and drying scaffolds on the shores of Newfoundland. But nothing in the way of permanent colonization was as yet attempted in the North. For the present all the colonization done was done in the South by Spain, with Española as the centre. But from the first, and throughout, the dominant motive of Spain in the New World was conquest rather than peaceful occupation. Fired with

the cartographers whose works have come down to us had satisfied themselves that areas of land of continental proportions had blocked further progress to the west" (Winsor, *Cartier and Frontenac: Geographical Discovery in the Interior of North America*, p. 4).

¹ The quest for a North-west Passage, the great object, as we shall see, of these English seamen, did not, indeed, cease till 1854, when Sir Robert McClure at length found a navigable channel from Bering Strait to Davis Strait.

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the military spirit, and despising all productive labour, the *conquistadores*, as the Spanish adventurers characteristically called themselves, were able to win their way by force of arms and to impose their rule upon the countries which they overran, but they soon showed themselves hopelessly deficient in all the qualities requisite for the industrial development of their new possessions. What Sir John Hawkins afterward said of the French at Port Royal may even more emphatically be applied to them: "They, being souldiers, desired to live by the sweat of other men's browes."¹ They were at bottom essentially treasure-hunters, lured to enterprise by the greed of gold, and the wealth which they gained too easily quickly debilitated and demoralized them. Thus, instead of being a source of fresh strength to Spain her American empire was in fact one of the causes of her rapid decline at the close of the sixteenth century.

For the purposes of our narrative a very brief account of Spanish exploration in America will suffice.

In 1513 Juan Ponce de Leon, who had accompanied Columbus to the West Indies on his first voyage and had since been governor of Porto Rico, started in search of a land to the north of Española of which he had heard from the Indians—the Land of Bimini, wherein was gold in plenty and a fountain of perpetual youth. On Easter Sunday he sighted a coast which he called Florida, *Pascua Florida* being Spanish for Easter Sunday. The outbreak of war with the Caribs then forced him to turn back, and when in 1521 he was able to continue his quest it was to find, not the waters of immortality, but death by an arrow shot by an Indian bowman. Two years previously Alonzo Alvarez de Pineda, while sailing along the north coast of the Gulf of Mexico, had come to a great water which he named Rio del Espirtu Santo, and which was perhaps the Mississippi, perhaps Mobile Bay. Then in the year of Ponce de Leon's death Lucas Vasquez de Ayllon, with the design of discovering a passage to India, led an expedition northward as far as Chicora (South Carolina and Virginia), and in 1526 actually began to build

¹ Hakluyt, vol. x, p. 56.

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a town, San Miguel, near the spot where the English were presently to found Jamestown. But he failed in his attempt to subdue the Indians, and the proposed settlement was abandoned. Shortly after this, in 1528, Panfilo de Narvaez and a company of fortune-hunters from Spain, attracted by the fabled wealth of Florida, landed at Tampa Bay and set out for the interior. Eight years later, after innumerable adventures and sufferings, the record of which as written by one of their number, Cabeza de Vaca, reads like a thrilling romance, the ragged remnant of the party, now reduced to four, reached the Spanish settlements on the Gulf of California. Needless to say, they were empty-handed as well as ragged, but the tales they had to tell, and especially the rumours they had gathered by the way of great cities with magnificent buildings and abundance of precious stones, revived interest in the supposed treasure-lands north of New Spain, as Mexico was now called. Already in 1530, while Panfilo de Narvaez and his companions were struggling through the wilderness, an expedition under Nuño Beltran de Guzman had gone forth in vain search for the 'Seven Cities of Cibola,' wherein, as they had heard, gold and silver were in such profusion that even the commonest household utensils were made of these precious metals. Now, a decade later, Francesco Vasquez de Coronado led out another party on the same fantastic quest. For three years he wandered up and down the country as far as the Missouri, the Rio Grande, and the Colorado, only to find at last that the mythical cities were the *pueblos* of the Moquis and Quñis, whose whole wealth consisted in the proceeds of their rude industries and tilling. Among the other fables greedily devoured by the Spaniards, whose insatiable avarice and romantic faith made them ready to accept every extravagant story, was that of a city named Manoa, the capital of El Dorado, the Gilded King, which stood somewhere in the North on an island in the inland sea of Sarima, or perhaps upon its shores,¹ and many were the

¹ The legend of El Dorado was widespread and long-lived. For Sir Walter Raleigh's attempt to find Manoa in 1595 see his *Discoverie of the Large, Rich, and Beautiful Empire of Guiana*.

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efforts made to reach that phantom land. Nothing but disappointment resulted, but every fresh failure served only to stimulate the desire for the further exploration of the vast unknown countries which lay everywhere beyond the borderline of the white man's advance. Thus it was that Hernando de Soto, having attempted the conquest of Florida, with plenty of killing and kidnapping in the customary Spanish style, set out in 1539 in quest of a golden country of which he had heard from his Indian guides.¹ His was but a fool's errand through swamps and jungles, but it led to one noteworthy result; for in April 1541 he reached a great river which he called Rio Grande, but which we know by its Indian name of Mississippi, 'the Father of Waters,' on the shores of which he died. About the same time (1540) Francesco de Orellan made the first exploration of the Amazon.

With all their activity in discovery, however, the Spaniards obtained no permanent footing in the northern part of the continent. But meanwhile the conquest of Mexico by Hernando Cortes (1519-21), and that of Peru by one of Balboa's followers, Francesco Pizarro (1531-41), overthrew the Aztec Confederacy and the rule of the Incas, and established a Spanish empire in the South which was destined to last till the nineteenth century.

FRENCH EXPLORATION OF NORTH AMERICA

The course of our own story, however, takes us to the North, and first to the work of the sixteenth-century French explorers.

We have seen that Normans and Bretons had been among the first fishermen to find their way to Newfoundland, and by 1578 their fishing fleet in these waters was as large as the fleets of Spain and Portugal combined. But except that their presence there was the origin of those French claims to littoral rights which have proved a bone of contention to

¹ It is evident (and this appears to be a case in point) that the Indians often fabricated stories of distant treasure in order that, by playing upon the white man's avarice, they might get him out of the way and perhaps lure him on to his destruction.

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diplomatists down to quite recent times, they have little interest in history. The first important voyage of discovery in the New World undertaken on behalf of France was that made by a Florentine adventurer, Giovanni da Verrazano, who in 1524 sailed west in search of a waterway to China, and is supposed to have coasted from Cape Fear to the Gulf of St Lawrence.¹ Ten years later Jacques Cartier of St Malo, with the same object of finding a North-west Passage, sailed along Labrador to Anticosti, and on a second voyage in 1535 explored the Lower St Lawrence as far as Lachine Rapids and reached an Indian town named Hochelaga, where "he heard say . . . how that there was a great sea at Saguinay, whereof the end was not known : which they presupposed to be the passage to Cathay."² He afterward made two further expeditions to the same regions, of which he took possession in the name of his king, and in May 1541 built a fort near Quebec. This was part of an unsuccessful experiment in colonization made with the permission of Francis I by the Sieur de Roberval. But though the fur-trade and the fishing industry attracted many Frenchmen thither, nothing in the way of a permanent settlement in Canada was attempted till the early years of the seventeenth century. Discouraged by hardships and the rigour of the climate, the French meanwhile turned their attention to the more promising lands farther south. At the time of the religious struggles in France the great Coligny conceived the idea of establishing a refuge for his persecuted co-religionists somewhere in the New World, and in 1555 a Huguenot settlement was begun under Nicolas de Villegagnon on the site of Rio de Janeiro. But the community was soon ruined by quarrels and the scarcity of food, and the few survivors were presently slaughtered by

¹ Everything connected with this adventurer is obscure, and even his voyage has been denied. But after a careful examination of all the literature on the subject Parkman came to the conclusion that "the evidence in favour of the voyage of Verrazano is far stronger than the evidence against it" (*Pioneers of France in the New World*, vol. i, p. 231 n.).

² Sir H. Gilbert's *Discourse to prove a Passage to the North-west to Cathay and the East Indies*, chap. iii. In the rumoured "great sea" we can recognize the vast lake system lying to the west.

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the Portuguese. Seven years later Jean Ribault of Dieppe led out another Huguenot party, this time to South Carolina, and founded a town which he called Charlesfort, in honour of Charles IX, not far from the present Beaufort ; but this expedition soon ended in mutiny, the murder of the commander, and general disaster. A third experiment—that of Coligny's kinsman, René de Laudonnière—at Fort Caroline near the mouth of the St John River, Florida, in 1564, fared no better. The emigrants in this case were a heterogeneous and unmanageable lot ; discontent was soon rife among them ; their numbers were quickly thinned by death and desertion ; and things had come to a desperate pass when in August 1565 Sir John Hawkins appeared with his fleet and gave them relief. A little later Ribault himself arrived with provisions and fresh recruits, and for the moment the outlook seemed more favourable. But by this time news of the settlement had reached Spain. Philip II would not tolerate such an invasion by foreign heretics of a domain which he regarded as sacred to himself and the Church, and the infant colony was accordingly wiped out by a Spanish fleet under Pedro Menandez de Avileo. On this, a certain Dominique de Gourgues, a Gascon of noble birth, resolved to avenge his fellow-countrymen ; fitted out an expedition at his own expense ; sailed to Florida ; demolished the fort (now in Spanish hands), put most of the garrison to the sword, and hanged the rest. But the King of France, anxious to avoid a quarrel with Spain, disavowed the reprisal, and at the same time formally relinquished all claim to Florida.

This incident closes the history of the sixteenth-century efforts of the French to colonize in the South. In the next century they renewed their activity in Canada ; with what results we shall see in the sequel.

ENGLISH EXPLORATION DURING THE SIXTEENTH CENTURY

For many years after Cabot's time the English showed little interest in maritime enterprise, the only immediate result of his discovery being that, like those of other nations, English fishermen engaged in profitable business on the New-

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foundland banks. It was, indeed, reported that Henry VII cherished the design of providing Cabot with "all the male-factors" of the country for the formation of a colony,¹ but this hopeful scheme was never carried out, and nothing otherwise in the direction of a settlement was undertaken. The chief reason of this apparent apathy is to be found in the fact that the energies of the country were largely absorbed by the struggle of the Reformation; but even apart from this, and though as early as 1553 Richard Eden wrote a *Treatise of the New India* expressly to induce Englishmen to "make attempts in the New World to the Glory of God and the Commodity of our Country," it is very clear that the many commercial advantages that might be expected to accrue from overseas expansion had not yet been even dimly appreciated. When, however, after the accession of Elizabeth, conflict with Spain became imminent a new and potent incentive to American adventure was at once introduced. Even before the nominal peace had been broken, and still more, of course, when hostilities had definitely begun, it was part of England's purpose to cripple the power of Spain by attacking her in her rich Western dominions. Hence the "semi-buccaneering" expeditions of such famous Elizabethan 'sea-dogs' as Hawkins and Drake.

Sir John Hawkins, the son of William Hawkins of Plymouth, who himself made three voyages to Guinea and Brazil, though he is better remembered for the part which he later played in the defeat of the Great Armada, has also a sinister reputation as the first Englishman to engage in the negro slave-trade. In this nefarious occupation he carried slaves captured at Sierra Leone to Española, where, being not in the least averse from bartering with the hated Spaniards, provided only that he could do so to his own profit, he exchanged his human wares for pearls, hides, ginger, sugar, and other valuable commodities. But as the Spanish law restricted colonial trade to the mother country, the authorities regarded him as a smuggler, and on his third adventure in 1567-68 he was attacked by Spanish ships at San Juan de

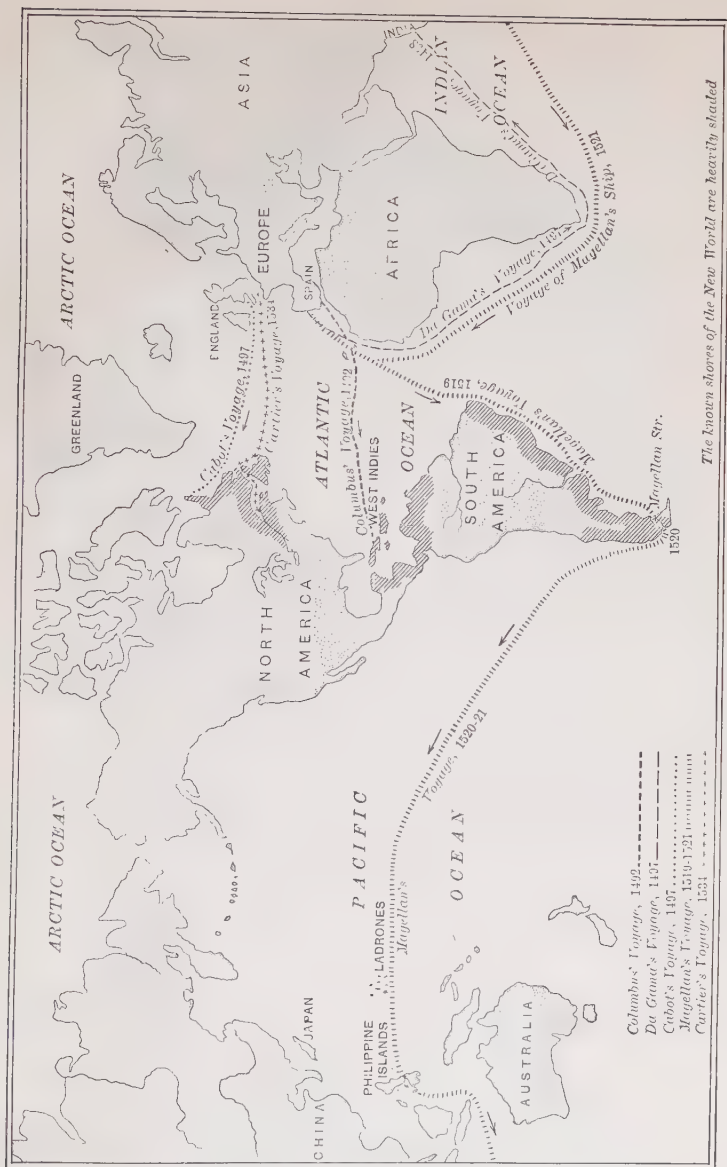
¹ Dispatch of the Milanese ambassador in *Documents relating to the Voyages and Discoveries of John Cabot* (Hakluyt Society).

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Ulloa, and barely succeeded in saving two of his own. Hawkins' primary object had simply been to make all the money he could out of commerce, but this disaster led him and his companions into a private conflict with Spain.

Among such companions was his kinsman, Francis Drake, who, after vainly attempting to obtain from King Philip some compensation for the losses he had sustained, at length determined to reimburse himself on his own account. Such was the motive of his voyages to the West Indies in 1570, 1571, and 1572, on the last of which an incident occurred which is memorable for its consequences. Having captured from the Spanish the town of Nombre de Dios on the Isthmus of Panama, he explored the region inland till he came to the dividing ridge, and there, climbing a tall tree, he saw, as Balboa had seen fifty-nine years before, the waters of the great South Sea. At that sight he was "vehemently transported with desire to navigate that sea," and with an ardour of religious enthusiasm curiously characteristic of the men of his time "besought Almighty God of His goodness to give him life and leave" to do so. It was not, however, till 1577 that he was able to carry out his design. On December 13 of that year, "with a fleet of five ships and barks, and to the number of 164 men, gentlemen, and sailors,"¹ he set out from Plymouth; wintered at Port St Julian (June-August 1578); and in October passed through the Strait of Magellan and entered the ocean "called by some Mare Pacificum, but proving to us to be rather Mare Furiosum." Only his own vessel was now left, the others having turned back or been wrecked; but in this (originally the *Pelican*, but now rechristened the *Golden Hind*, from the crest of his patron, Sir Joseph Hatton) he sailed up the western coast of South America, found provisions and rich Spanish prizes at Valparaiso, Arica, and Callao; and then, fearing that he might be waylaid by a Spanish fleet at the Strait of Magellan, resolved to return home by the Cape of Good Hope. Laden with spoils, to the value, it is estimated, of a million and a half sterling, he arrived in England on September 26, 1579, having

¹ Pretty's narrative in Hakluyt, vol. iii, p. 730.



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thus won the distinction of being the first Englishman to sail round the world. The Spaniards were furious, and Philip demanded that Drake should be surrendered to him. But Elizabeth, who had taken her full share of the booty, went down to Deptford to dine with the hero on his ship, and after the repast knighted him on his quarterdeck.¹ His success stimulated other adventurers, like Thomas Cavendish of Ipswich, who in 1586 sailed to South America and brought back rich plunder from the Spanish ports.

The expeditions of Hawkins and Drake, though they cannot well be omitted from our story, have only a remote connexion with it. Meanwhile, however, there was much other maritime activity which led directly to the English opening up of the New World.

Belief in the existence of some waterway to the Golden East round or through the northern part of America was now a fixed idea with the English geographers, who, while interested in it on the purely scientific side, were even more keenly alive to its commercial bearings. The general character of the arguments, theoretical and practical, adduced by them in support of their conviction may be gathered from the most important contribution to the subject, *A Discourse to prove a Passage by the North-west to Cathay and the East Indies*, published in 1576 by Raleigh's half-brother, Sir Humphrey Gilbert. The author begins by describing "the fourth part of the world, commonly called America," as "an island, environed round about by the sea" and bounded on the south by the Strait of Magellan, on the west by the "Mar de Sur," on the east by "our west ocean," and on the north by "the sea that severeth it from Greenland, through which northern seas the passage lieth, which I take now in hand to discover." His 'discovery' consists of a long and elaborate argument built up from the testimony of the ancients, from

¹ By the Queen's order the *Golden Hind* was laid up at Deptford that it might be visited by Londoners, and there it attracted many sightseers. The incident must have made a deep impression upon the popular imagination, for more than a quarter of a century later we find a reference to it in *Eastward Ho!* by Jonson, Chapman, and Marston: "as the shippe of famous Draco went about the world," etc. (Act III, Scene 2).

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scientific considerations (of a sort), and from the "experience of sundry men's travels." Much of it is quaint and fantastic, an odd mixture of history and legend, of solid fact and empty speculation. But such as it is it provides Sir Humphrey with a point of departure from which he proceeds to more practical matters. He emphasizes the importance of the proposed route "to Cathay, the Moluccas, and India, and all other places in the east" by showing that it would be much shorter than that taken by the Spanish and Portuguese; "once discovered," it would give the English an immense advantage over their rivals; and the happy result would be that the Queen's Majesty would be able to "cut off and enjoy the whole traffic to herself," leaving these rivals in the unenviable position of men who had beaten the bush for others to catch the birds.¹ Incidentally, though only incidentally, he throws out a hint of colonization, but in such a form as to prove how perverted the current ideas of colonization then were: "We might inhabit some part of these countries and settle them with such needy people of our own country which now trouble the commonwealth, and through want here at home are enforced to commit outrageous offences, whereby they are daily consumed with the gallows." It did not occur to Gilbert that potential gallows-birds are scarcely the people to make successful colonists. But his error was not personal; it was very general in the early days of colonization and, as subsequent history shows, was not easily destroyed.²

In an age when love of adventure was intimately blended with the thirst for gold, and romantic enthusiasm with commercial ambition, the quest for the supposed short cut to the East and to wealth could not fail to prove attractive. In the very year in which Gilbert published his treatise Sir

¹ Gilbert rejects as impossible the alternative North east Passage. This was also attempted by English mariners; by Sir Hugh Willoughby in 1553; by Stephen Burroughs in 1556; by Arthur Pet and Charles Jackson in 1580; and by others, as well as by Dutchmen. But their explorations and discoveries do not concern us here.

² With his characteristic sagacity Bacon protested against it in his essay *Of Plantations*, written in 1625: "It is a shameful and unblessed thing to take the scum of people, and wicked and condemned men, to be the people with whom you plant."



SIR HUMPHREY GILBERT
From an old print published in London



SIR MARTIN FROBISHER
From an old print

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Martin Frobisher made a first attempt to find the North-west Passage. In this, and in two other voyages undertaken in 1577 and 1578 for the same end, he spent the whole of his own fortune and that of his wife, and involved his financial supporters—‘venturers,’ as they were called—in heavy debts.¹ All he had to show for his efforts was a quantity of black earth which he brought back from Meta Incognita (the region of Hall’s Island in the bay which now bears his name). This earth the assayers in London declared to contain gold, and though no one knew how to extract the precious metal from it, the find encouraged belief that Meta Incognita would ultimately prove a second Peru.² Another famous navigator who devoted himself to the same enterprise was John Davies, who in three voyages in 1585–87 discovered “such ore as Master Frobisher brought from Meta Incognita,” and also made the acquaintance of mosquitoes which “did sting grievously,” but who in the upshot had to rest satisfied with the somewhat lame conclusion that he had “brought the passage to that certainty” as to be sure “that it must be in one of four places, or else not at all.” But more interest attaches to Sir Humphrey Gilbert’s own efforts to prove the truth of his theories. Having mortgaged his estates to raise the necessary funds, and obtained royal letters-patent authorizing him “to discover and occupy remote heathen lands not actually possessed by any Christian prince or people,” Gilbert set out in 1578 with a fleet of seven ships, one of which was commanded by Raleigh. But storms, dissensions, and a sharp encounter with a Spanish squadron, in which one of his vessels was lost, ruined his plans, and his first expedition ended in utter failure. Nothing daunted, he tried again, and in 1583 took formal possession of Newfoundland in the name of the Queen and “by right of the discovery of John Cabot,” setting up the arms of England, engraved on lead, on a pillar of wood on the shore. But this was his

¹ The fact that Sir Philip Sidney, the Earl of Leicester, the Earl of Warwick, and Sir Thomas Gresham were among his shareholders attests the interest which prominent men then took in such enterprises.

² Accounts of Frobisher’s voyages, written respectively by Christopher Hall, Dionese Settle, and Thomas Ellis, will be found in Hakluyt, vol. vii.

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final achievement, for while sailing south in search of a site for a settlement his little ship foundered and all on board perished. The simple account of this tragedy of the sea, given by Edward Hayes of the *Golden Hind*, another vessel of the fleet, familiar as it is, must still be reproduced for the sake of the light which it throws upon the heroic temper of these Elizabethan seamen: "Monday, the ninth of September, in the afternoon, the frigate was near cast away, oppressed by waves, yet at that time recovered; and giving forth signs of joy the general [Gilbert], sitting abaft with a book¹ in his hand, cried out to us in the *Hind* (so oft as we did approach within hearing), 'We are as near to Heaven by sea as by land'; reiterating the same speech, well-beseeming a soldier, resolute in Jesus Christ, as I can testify he was. The same Monday night, about twelve of the clock, or not long after, the frigate being ahead of us, . . . suddenly the lights were out, whereof as it were in a moment we lost the sight; and withal our watch cried, 'The general was cast away,' which was too true."

Gilbert's ill-fated voyage is specially important because his plan included a permanent settlement in North America. His idea of such a settlement was still mixed up with that of the North-west Passage, for his object was to discover a site which would be on the line of that passage if it could be found. But none the less he merits distinction as the first Englishman to attempt colonization, and though he failed his failure, as we shall see, was still fruitful of practical results.

¹ Longfellow in his poem on the incident writes "the Book" instead of "a book," thus suggesting that the volume in question was the Bible. But there is not authority for this.

CHAPTER II

THE PLANTING OF THE SOUTHERN COLONIES

BEFORE we enter upon the history of the English colonization of North America, to which Sir Humphrey Gilbert's labours may be regarded as a prelude, it is necessary that we should consider some of the influences by which the expansion of England overseas was brought about.

Foremost among these must undoubtedly be placed England's rivalry with Spain—a rivalry which was at once national, commercial, and religious. Hostility to Catholic Spain, as the incarnation and symbol of everything that was to be feared and hated, became a passion with the patriotic Protestant Englishman of the generation of Drake, Raleigh, and Grenville,¹ and this passion inspired the determination both to thwart Philip's imperial ambitions and to prevent the Pope from gaining control of the new countries beyond the ocean. In Hakluyt's *Discourse of Western Planting*, written in 1584 at Raleigh's request, and by him laid before the Queen, the burden of the argument is the advantage which colonial plantations would give to her Majesty in her struggle with the King of Spain, and the means which they would afford to check his schemes of aggrandizement: "If you touch him in the Indies, you touch the apple of his eye; for take away his treasure, which is *nervus belli*, and which he hath almost out of his West Indies, his old band of soldiers will soon be dissolved, his purposes defeated, his power and strength diminished, his pride abated, and his tyranny utterly suppressed." Mere jealousy and cupidity had also a large share in the creation and direction of this anti-Spanish feeling,

¹ See, e.g., the satire on Philip and his designs against England in Lyly's *Midas*.

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for the English were greatly excited by the stories now current of the enormous wealth of Mexico and Peru and the vast income which the King of Spain derived from them.¹ It was partly, then, for patriotic and partly for personal objects, and yet always for the satisfaction of "singeing King Philip's beard," that privateers swept the Western seas in search of Spanish victims, sacked cities on the Main, rifled plate-ships, and returned home with plunder, a generous portion of which never failed to find its way into the royal coffers. But while for the moment the Elizabethan 'sea-dogs' found honour and profit enough in such congenial enterprises, the decline of Spain presently brought about a change in the direction of national activity. Spain's colonizing efforts practically ceased about 1570, when the fanatical attempts of Philip to stamp out Protestantism in Europe and the resulting war in the Netherlands overtaxed his strength and drained his resources. Then came the final blow, the defeat of the Great Armada in 1588. This decisive event not only saved England from foreign domination, but also eliminated in advance her one formidable enemy in the New World—an enemy who otherwise would certainly have crushed the first English colonies there, as she had already crushed the Huguenot settlements in Florida. Meanwhile, one immediate consequence, inevitable at a time when the spirit of adventure was so strong

¹ How profound and lasting was the impression which these stories made upon the popular imagination of the time is shown by many passages in Elizabethan literature; as, *e.g.*,

" And from America the golden fleece
That yearly stuffs old Philip's treasury."

MARLOWE, *Dr Faustus*, Scene 1

" Armados from the coasts of Spain
Freighted with gold from rich America."

MARLOWE, *Tamburlaine*, Part I, Act I, Scene 2

" Here's the rich Peru :
And there within, sir, are the golden mines,
Great Solomon's Ophir."

JONSON, *Alchemist*, Act II, Scene 1

Cp. Shakespeare's reference to the " rubies, carbuncles, sapphires " of the Indies in *The Comedy of Errors*, Act III, Scene 2, and Falstaff's remark about the " East and West Indies " in *The Merry Wives of Windsor*, Act I, Scene 3.

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that, checked in one direction, it must instantly seek fresh outlets, was the release of a large amount of national energy, hitherto absorbed by the life-and-death struggle with Spain, for other enterprises in distant fields.

But while it was rivalry with Spain which thus turned the attention of England to the Western world, conditions at home must also be taken into account. With the religious and political unrest of the period as factors in the movement of colonization I shall have to deal presently. For the moment it will suffice to note that the age of Elizabeth was an age of economic change and dislocation. The advance in prices and in the general scale of living, due to the co-operation of many causes into which we need not here enter, bore very heavily upon the labouring population; their wages rose somewhat, it is true, but by no means in proportion to the increasing demands upon them; and while the upper classes revelled in unprecedented extravagance and luxury, the lower sank deeper and deeper in misery and discontent. The dissolution of the monasteries had deprived thousands of the very poor of their slender means of support. The development of the wool industry had involved the conversion of large tracts of arable land all over the country into sheep pastures, and the dispossessed peasants were driven into the towns. As a consequence England swarmed with idle men, and there was an alarming increase in lawlessness and crime. Already under the stable rule of the Tudors commerce was rapidly advancing, and it was one sign of the growth of the commercial spirit that the idea of colonization should now be taken up in earnest from the point of view not only of the further expansion of trade, but also of the relief of congestion and unemployment and their attendant evils. Thus we find one of Sir Humphrey Gilbert's partners, Sir George Peckham, arguing that colonies would provide a way of life for "a great number of men which do now live idly at home," whereby "all odious idleness from this our realm" would be "utterly banished, divers decayed towns repaired, and many poor and needy persons relieved."¹

¹ *On the Advantages of Colonies*, in Hakluyt, vol. iii.

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Such, then, were the principal influences, foreign and domestic, behind the English movement for the colonization of the New World. That movement definitely began when, toward the close of the sixteenth century, Sir Humphrey Gilbert's unaccomplished purpose was taken up by his half-brother, Sir Walter Raleigh.

RALEIGH'S ATTEMPT TO FOUND A COLONY AT ROANOKE

With his patriotic fervour, his large vision, his heroic temper, and his thirst for fame, glory, and gold, Raleigh¹ was one of the typical men of that age of feverish energy, many-sided interests, and grandiose ambitions. As a soldier he had fought for the Protestant cause in France and in the Irish wars ; as a sailor he had visited the West Indies ; as a poet and scholar and the friend and patron of poets and scholars—of Spenser, and Hakluyt, and the great mathematician Thomas Hariot—he had made his mark in the intellectual world ; as courtier and gallant he had early won the favour of his capricious queen, who loaded him with gifts and honours. Such royal favour he now turned to use for the prosecution of his colonizing schemes ; and from Elizabeth he obtained a charter, the counterpart of that previously granted to Gilbert, and like that conveying, with no definite bounds assigned, a general right to discover and plant any remote and barbarous lands not under the dominion of a Christian prince or people. Thus provided, he dispatched in April 1584 two vessels, commanded respectively by Arthur Barlow and Philip Amidas, on a preliminary voyage of exploration. Convinced by his brother's unfortunate experiences that Newfoundland was undesirable, he gave directions that the expedition should follow in the old track of Columbus.² Accordingly his captains made first for the West Indies ; whence they sailed north up the Florida coast ; discovered Roanoke Island off North Carolina ; took possession of the country in the joint names

¹ His name is written in thirteen different ways. I adopt the form most commonly employed by Sir Walter himself. See Winsor, *Narrative and Critical History of America*, vol. iii, p. 105 n.

² See the account of the voyage by Barlow, in Hakluyt, vol. iii.

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of Raleigh and the Queen ; and then returned home to report. Their statement was extremely, and indeed almost suspiciously, favourable ; the country, they declared, was " the most plentiful, sweet, fruitful, and wholesome in the world " ; all its material conditions were ideal ; while as for its native inhabitants, the Indians, they were " most gentle, loving, and faithful, void of all guile and treason, and such as live after the manner of the Golden Age." Raleigh, delighted, as well he might be, named the new land Virginia, in honour of the Virgin Queen,¹ and had a seal cut on which he described himself as " Lord and Governor " of that territory.

This, however, was only the first step. The next year he sent out seven vessels under command of Sir Robert Grenville, with a party of 108 settlers in charge of a soldier, Robert Lane. On the way out Grenville captured a couple of well-laden Spanish ships, but this was a mere incident on the voyage. Following instructions, he proceeded direct to Roanoke Island, where he deported the settlers ; which done, he sailed back to England. Lane at once began to explore the upper country, led on by those two will-o'-the-wisps of all the early colonists, gold-mines and a passage to the South Sea, and thus wasted valuable time which should rather have been used for more practical purposes. The result was that no proper provision was made for the winter and spring, the hardships of which, together with the continual depredations of the Indians, whose idyllic qualities were not now so apparent as they had been to Captain Barlow, told so seriously on the spirits of the men that when in June 1586, after a successful buccaneering expedition on the Spanish Main, Drake with twenty-three vessels anchored off Roanoke the homesick fortune-hunters eagerly availed themselves of his offer to carry them back to their own land. Soon afterward a relief-ship with provisions sent by Raleigh, and a little later Grenville with more ships and recruits, arrived on the

¹ Whether he did this on his own initiative or at the instigation of Elizabeth is uncertain and unimportant. It should be noted that at first the name was applied to the whole American coast from Spanish Florida in the south to French Canada in the north.

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scene, only to find that the settlement had been entirely abandoned. Of the new recruits, however, fifteen were now left at Roanoke to carry on the experiment.

Raleigh's sanguine temper was proof against even these disappointments, and in May 1587 another party—this time including seventeen women and two children—was dispatched under the leadership of the well-known painter, John White. They found no sign of the fifteen men left by Grenville the year before, and had therefore to begin the work of settlement all over again. Having put the affairs of the colony in order, White himself went back to England for further supplies, promising an immediate return.¹ But England was now in the throes of the final struggle with Spain, and this and the excitement which followed compelled him to delay. When at length he was able to cross the ocean it was only to find the spot deserted and the houses tenantless; nor was any trace of his daughter, granddaughter, and the other settlers ever afterward discovered. The fate of this 'lost colony' remains a mystery. It was probably wiped out by the Indians, though an alternative theory is that its members had been peacefully absorbed by friendly tribes.

By this time Raleigh had sunk £40,000 in his fruitless ventures. Unable any longer to bear the burden alone, yet firmly convinced that he would "yet live to see" a colony in Virginia develop into "an English nation," he now in 1589 assigned all his trading rights under his charter to an association which was formed expressly to take them over. This association, however, did nothing to forward his designs, and the sixteenth century closed without any further move being made. But early in the new century the voyages of Bartholomew Gosnold and Bartholomew Gilbert (Sir Humphrey's son) to the coast of Maine (1603), and of Martin Pring (1603) and George Weymouth (1605) to New England, revived the idea of colonization, and a number of men of wealth and

¹ On August 15 White's daughter, Eleanor Dare, gave birth to a daughter, the first child of English parents born on the soil of the United States. She was christened Virginia.

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influence now determined that the work which Raleigh had vainly attempted by private enterprise should be carried out by a joint-stock company on the model of the East India Company then recently incorporated. Raleigh himself, having fallen under the displeasure of the ignoble first Stuart, was now in the Tower, awaiting trial on charge of high treason, and had no part in the new undertaking. Its principal supporters were Bartholomew Gosnold, Sir Thomas Gates, Sir George Somers, Sir Ferdinando Gorges, Sir John Popham, Chief Justice of England, Richard Hakluyt, then prebendary of Westminster, another clergyman, the Rev. Robert Hunt, Edward Maria Wingfield, a London merchant of high standing, and a soldier of fortune of whom we shall hear much in the sequel, Captain John Smith. This venture was a commercial enterprise pure and simple, and yet, though the more sober temper in which the associates went about their business was indicative of the changing spirit of the age, much of the typically Elizabethan passion for wealth survived in them, and they were still haunted by the old romantic visions of gold-mines and a short route to the opulent East.¹

THE PLANTING OF VIRGINIA

On April 10, 1606, King James granted to Gates, Somers, Hakluyt, and "other firm and hearty lovers of colonization," a charter authorizing the creation of two companies, known respectively as the London Company and the Plymouth Company. To each of these a tract of territory was assigned 100 miles along the sea and 100 miles inland; that of the former to be selected somewhere between the 34th and 41st degrees of latitude, that of the latter somewhere between the 38th and 45th degrees. The government of the colonies was

¹ As a careful and judicious writer has well said, "At no period in the history of the world has the thirst for gold been more fervid and inordinate than it was in the age of Elizabeth" (P. A. Bruce, *Economic History of Virginia in the Seventeenth Century*, vol. i, p. 13). The soundness of the statement can scarcely be disputed, and it is worth quoting because it serves to dissipate some curious popular misconceptions regarding the peculiar spirit of those 'spacious times,' of whose idealism we hear rather too much, and of their materialism far too little.

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vested locally in two resident councils of thirteen members each, who were to have power to elect their own presidents and to fill vacancies as they occurred. But these were to be subordinate to and controlled by two great councils in London, appointed by the King himself and directly under his will. The charter prescribed the maintenance of the royal supremacy and of the Church of England; land tenure as in England; and trial by jury. It further conceded to the companies the right to coin money and to collect revenue from all vessels trading to their ports for a period of twenty-one years; while one of its articles recognized, though only in very general terms, the right of the colonists and their children to enjoy "all liberties, franchises, and immunities . . . to all intents and purposes, as if they had been abiding and born within this our realm of England. . . ." ¹ The whole machinery of management thus set up was so complicated and cumbersome that it was certain sooner or later to break down in the working; and to make matters worse, the colony was started on a communal basis, the arrangement being that all produce was to go into a common stock, out of which the settlers were to be provided with the actual necessities of life and to receive a share of the profits in return for their labours.

Some months were consumed in preparation, and it was not till December 19 that three ships of the London Company—the *Discovery*, the *Good Speed*, and the *Susan Constant*—set sail from Blackwall. The leaders of the expedition were Gosnold, Wingfield, Smith, John Martin, John Radcliffe, and John Kendall, while other important members of it were the Rev. Robert Hunt and George Percy, brother of the Earl of Northumberland. The emigrants, who numbered 105, were all men; the absence of women being a sure sign that the quest of fortune rather than the hope of finding a new home lured the adventurers to the distant land. They were undoubtedly a somewhat unpromising company, and even if John Smith's contemptuous description of them as "poor

¹ For this charter see *The Genesis of the United States*, collected and edited by Alexander Brown, vol. i, pp. 52-63.

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gentlemen, tradesmen, serving-men, libertines, and such like, ten times more fit to spoil a commonwealth than either to begin one, or help to maintain one,"¹ be coloured by prejudice and in need of some qualification, it is evident that they did not provide the stuff out of which successful colonists were to be made. In particular, as the list shows, there were among them too many 'gentlemen' (that is, persons who regarded manual labour as degrading) and far too few trained artisans.² Though not so seriously hampered in these respects as the Spanish had been before them, these first English colonists were in a measure incapacitated for their arduous task not only by inexperience, but also and even more seriously by their general character and aims. The majority of them were simply adventurers, keen for fighting and plundering, but averse from steady toil.³

As part of the scheme devised by the puerile King, the expedition carried the names of the counsellors appointed by him in a sealed box, which, according to instructions, was opened off the Virginia coast, when the council, assuming authority, elected Wingfield as its president. The adventurers

¹ *General History of Virginia*, in Arber's edition of Smith's works, p. 487. Cp. pp. 616, 630.

² Smith's remark refers also to later emigrants, among whom the relative proportions were much the same. The original list gives the names of fifty-five 'gentlemen,' as against four carpenters, one blacksmith, one bricklayer, one mason, and twelve labourers. The first body of recruits included thirty-three 'gentlemen' out of a total of a hundred and twenty; the next, twenty-nine out of a total of seventy. Smith also asserted that most of the persons classed as labourers were in fact valets in attendance on their masters.

³ The hope which "springs eternal in the human breast" of getting rich quickly was the ruling impulse with most of those who embarked upon this first venture in Virginia. As later, with the discovery of gold in California, in Australia, in the Klondyke, the wildest anticipations were current concerning the wealth of the new country and of its inhabitants. These were satirized in a famous passage in a play from which I have already quoted, *Eastward Ho!* performed when the fever was at its height: "I tell thee, gold is more plentiful there than copper is with us; and for as much red copper as I can bring, I'll have thrice the weight in gold. Why, man, all their dripping pans and their chamber pots are pure gold; and all the chains with which they chain up their streets are massy gold; all the prisoners they take are fettered in gold; and for rubies and diamonds, they go forth on holidays and gather them by the sea-shore, to hang on their children's coats and stick in their caps"; with much more to the same effect.

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then sailed into Chesapeake Bay and ascended the river, which they called the James in honour of the King, till fifty miles up they reached a peninsula which they chose as the site for their settlement, Jamestown (May 13, 1607). Here they at once commenced to build a fort, while parties were sent out to explore the surrounding country. Forthwith their misfortunes began. The locality which they had injudiciously selected proved swampy and malarial; the food was scanty and the water rank; and during the intense heat of the summer fifty of their number died of starvation or disease. Though the soil was naturally fertile, but little was done to turn it to account; the settlers were disappointed because they found neither gold-mines nor rich native cities to answer to their expectations; the hostility of the Indians was a constant source of danger to them; and under Wingfield's feeble rule the little community was soon a hotbed of factions and disputes. Then in the autumn and winter things went from bad to worse. As one of the principal colonists afterward wrote:

"There were never Englishmen left in a foreign country in such misery as we were in this newly discovered Virginia. We watched every three nights, lying on the bare cold ground, what weather soever came; warded all the next day: which brought our men to be most feeble wretches. Our food was but a small can of barley sodden in water, to five men a day. Our drink, cold water taken out of the river; which was at the flood very salt; at a low tide, full of slime and filth: which was the destruction of many of our men. Thus we lived for the space of five months in this miserable distress, not having five able men to man our bulwarks upon any occasion. If it had not pleased God to have put a terror in the savages' hearts, we had all perished by these wild and cruel pagans, being in that weak estate as we were; our men night and day groaning in every corner of the fort most pitiful to hear. If there were any conscience in men, it would make their hearts to bleed to hear the pitiful murmurings and outcries of men without relief, every day and night . . . some departing out of the world, many times three and four in a

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night ; in the morning their bodies trailed out of their cabins like dogs, to be buried.”¹

Such conditions as these test the material of which men are made and provide an opportunity for the strong man, if strong man there be, to assert himself. In this case the strong man emerged in the person of John Smith, one of the most picturesque figures in early American history. The son of a Lincolnshire gentleman, Smith was now only twenty-eight, but his life had been full of vicissitude and varied experience, for if his own account of it is to be accepted,² he had fought in Flanders, Transylvania, and Ireland ; had suffered shipwreck ; had slain three infidel champions in single combat ; had been a slave among the Turks and had escaped by killing his master with a flail ; had wandered over Germany, France, Spain, and Morocco ; and incidentally had been the lover of Turkish and Russian beauties. Just how much of this prodigious record is to be regarded as plain unvarnished truth is still an open question ; Smith’s veracity was early challenged by Fuller,³ and it has often been challenged by more recent writers ;⁴ and as we know that, like Don Quixote, he was a great reader of romances of chivalry it seems fairly certain that under their influence his prodigal imagination perpetually heightened, aggrandized, and coloured his experiences, even if some of his alleged adventures were not actually fabricated by him. That he was boastful, extravagant, and aggressive is at least very clear. But as circumstances were to prove, he was a thoroughly capable man ; his courage, energy, and resourcefulness are quite beyond cavil ; he possessed in a pre-eminent degree the qualities which make for leadership ; and despite his romantic bias he was amply endowed with common sense.

¹ Percy, *Discourse of the Plantation of the Southern Colony in Virginia*, in Arber’s edition of Smith’s works, pp. lxxii–lxxvi.

² See *The True Travels, Adventures, and Observations of Captain John Smith*, in Arber’s edition of Smith’s works.

³ *Worthies*, edition of 1840, vol. i, p. 276.

⁴ For a careful consideration of the whole subject see C. D. Warner’s *John Smith*. Professor Arber’s courageous attempt to clear his hero of all charges of untruthfulness must be dismissed as a piece of unconvincing special pleading.

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His better parts, however, were not at first appreciated by his colleagues, who, to begin with, regarded him as something of a firebrand ; on the voyage out he was put in irons on charge of conspiracy, and if his own word is to be credited barely escaped hanging ; and though his name was on the King's list of counsellors he was not allowed to take his place among them for more than a month after their arrival. But it soon became apparent that he was the only man of them all who knew what to do and how to do it, and even before he became the president of the council, in September 1608, all the real power was already in his hands. Then he set to work to bring order out of chaos ; to impose discipline upon what was fast degenerating into an unruly mob ; to quell the factions ; to organize the army ; to build houses, cultivate the soil, explore the country, and obtain the much-needed supplies from the Indians.¹ It is not too much to say that to him belongs the honour of saving the infant colony, which otherwise would certainly have shared the fate of Raleigh's settlement at Roanoke.

In 1608 and 1609 fresh supplies of colonists arrived,

¹ With his dealings with the aborigines is connected one of the most famous episodes in Smith's career. Exploring far up the Chickahominy River, he was captured by a party of Indians and carried to their chief, Powhattan, by whom he was condemned to death. Already his head was placed on a stone, already several warriors were prepared with their clubs to beat out his brains, when Powhattan's "dearest daughter," Pocahontas, a girl of twelve, rushed forward, entreated her father to spare the stranger's life, and on his refusal threw herself upon the prostrate Smith and laid her own head beside his. On this Powhattan yielded, and allowed his prisoner to return unscathed to Jamestown. Such is Smith's own highly coloured account of his rescue as given in his *General History* of 1624 ; which account should be compared—for the amplification is suspicious—with the far more prosaic earlier narrative in the *True History*. The whole story is now dismissed by most critical writers as a mere fable, and even if it contains a germ of truth its romantic particulars must certainly be regarded as imaginative embroidery. It may be added that Pocahontas afterward became a warm friend of the whites, whom she helped on more than one occasion. Later she was held as hostage by the English, converted, and baptized under the name of Rebecca. She then became the wife of John Rolfe, one of the party wrecked in the *Sea Venture* in 1609, and the discoverer of a successful method of curing tobacco for the English market. She came to England with her husband in 1616, and died off Gravesend as they were on the point of re-embarking for Virginia in March of the following year.

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including some women and children ; but despite all Smith's exertions little progress was made, and unfortunately his enemies now gained the upper hand, and much quarrelling and turmoil ensued. At length, disabled by a wound, he went back to England in October 1609, leaving Percy in charge. Then followed the period long remembered as the "starving time,"¹ when the settlers were reduced to eating their dogs and horses and, these exhausted, the rats, mice, and snakes about the fort, and when even the horrors of cannibalism were not altogether unknown. The miserable survivors of the colony, some sixty persons in all, were in the last stages of starvation and despair when in the spring of 1610 they were saved from absolute disaster by the arrival of relief ships sent out from London under Sir Thomas Gates and Sir George Somers.²

The ill-success of the colony naturally produced a very bad impression at home, and the London Company, seeing their enterprise threatened with ruin, made a great effort to retrieve their position. To this end they obtained in 1609 and 1612 fresh charters, which provided for a considerable extension of their powers, and determined that henceforth the local management should be placed securely in the hands of a governor appointed by themselves, who should exercise despotic authority. The first governor, Lord De La Warr, accomplished little during his one year's tenure of office ; his successor, Sir Thomas Dale (1611-16), ruled by martial law and with barbarous severity, but at least contrived to establish and maintain order. The centre of the settlement was now removed from Jamestown to Henrico higher up the river ; thence the colony began to spread steadily over the surrounding country ; the communal system was

¹ Smith's works, p. 499.

² On the voyage out the flagship of the fleet, the *Sea Venture*, was separated from the rest and went ashore on the Bermudas, but the party ultimately succeeded in reaching Virginia in two little cedar-wood boats of their own building. The news of their casting away created great excitement in England, and at least five accounts of it were published, from one of which, Silvester Jourdain's *Discovery of the Bermudas, otherwise called the Ile of Devils*, Shakespeare, as is well known, drew many details for *The Tempest*.

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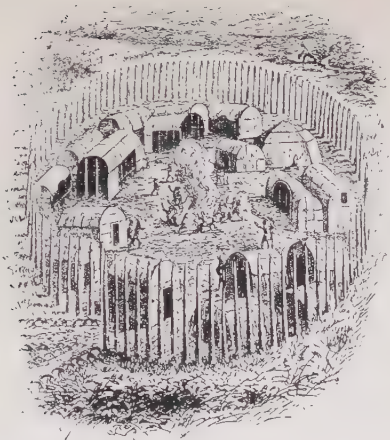
abandoned in favour of individual ownership; and what was to be the foundation of the colony's prosperity began—the cultivation of tobacco. By 1620 40,000 tons of this article had already been shipped to England; from that time on the English market for it was fully assured. In view of his well-known feelings on the subject there is something piquant about the fact that James himself, and after him his son Charles, derived a considerable revenue from taxes on the “filthy weed.”¹

The scandals connected with the misconduct of Dale's successor, Samuel Argall, who was at once dishonest and brutal, once more, however, forced upon the London Company the general question of the management of the colony, and under pressure from Sir Edwin Sandys, the new treasurer, the Earl of Southampton, and other liberal members of the board, they put an end to martial law and arbitrary rule and granted to the colony a form of political organization under which the governor's powers were to be shared with and checked by a representative body composed of burgesses—two from each plantation—who should be “freely elected by the inhabitants thereof” and should “have power to make and ordain whatever laws and orders should by them be thought good and profitable” for the community. The House of Burgesses, with twenty-two members, met for the first time in June 1619, in the choir of the church at Jamestown—“the most convenient place we could find to sit in.”² The incident is important, for it marks the dawn of constitutional government in America. Unfortunately, the same year also witnessed another event which was prophetic in a very different way—the arrival of twenty African negroes, who were landed from a Dutch ship and sold as slaves for labour in the plantations.

The colony of Virginia was now firmly established.

¹ The amazing popularity of tobacco among all classes is familiar to every reader of the literature of the time. Writing in 1614 Barnaby Rich asserts that, according to report, there were more than 7000 houses in London engaged in the trade of tobacco-selling (*The Honestie of the Age*).

² Report of Proceedings of the First Assembly, in *Colonial Records of Virginia*, ed. Wynne and Gilman.



PALISADED INDIAN VILLAGE

After a contemporary sketch by John White, the artist who accompanied Sir Walter Raleigh to Virginia



JAMESTOWN IN 1622

After a print in the *Scheeps-Togt van Anthony Chester na Virginia, 1622*
 From Woodrow Wilson's "History of the American People,"
 by permission of Harper and Brothers

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Immigration increased ; the newcomers were, on the whole, of better type than the first settlers had been ; and among them were many shiploads of young women who were sent over to be the wives of the colonists. But progress was still checked by the continued return of large numbers of adventurers to the Old Country, and by the extremely high rate of mortality, the result of change of climate and diet and bad sanitary conditions. Between 1607 and 1622 nearly 6000 persons landed in Virginia ; but it is computed that five out of every six of these succumbed to disease ; and by the latter date the population was only 1275. Then came the crowning disaster of 1622, when, in revenge for maltreatment by the whites, Powhattan's brother Opecancanough organized a massacre and slaughtered 347 of the inhabitants. This was a heavy blow to the colony, and, together with the dissensions which had now arisen between the governor and the burgesses, it provided the King with a convenient pretext to take it directly under his protection. Always jealous of his sacred rights, James had been watching with an unfriendly eye the growth of free institutions on the other side of the Atlantic and the encroachments of the London Company upon his prerogatives. He now annulled the charter, and in 1624 Virginia became a royal province immediately dependent upon the Crown.

THE PLANTING OF MARYLAND

While the first permanent settlement of the English beyond the seas thus owed its existence to a company, the second of the Southern colonies was the result of private enterprise.

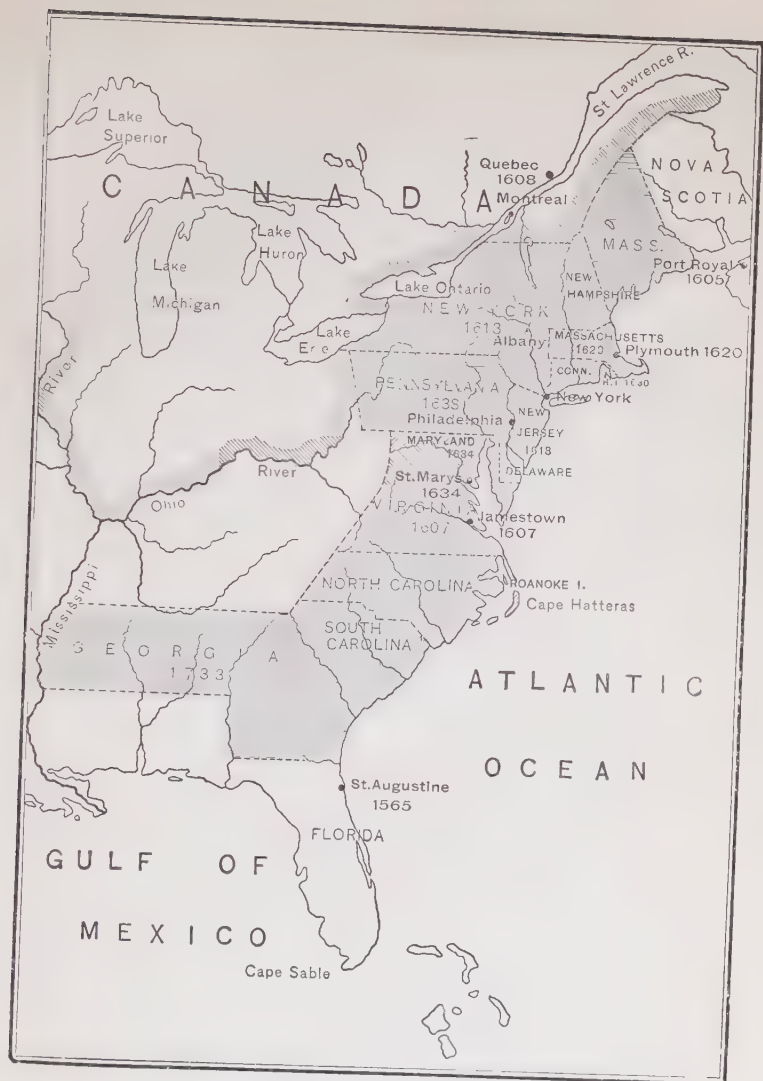
George Calvert had been principal Secretary of State from 1619 to 1625, when he resigned office, proclaimed himself a Roman Catholic, and was raised by Charles to the Irish peerage as Baron Baltimore. As one of the patentees of the Virginia Company (as the London Company was also called) he had already shown his interest in colonization, and now that his political career was closed by his secession to Rome this interest assumed an even more practical form. In 1627

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he took his wife and children to Newfoundland with the intention of founding a settlement there, but he was discouraged by the inhospitable climate. The next year he went with forty Catholics to Virginia, but the Virginians, who objected to his religion, made things unpleasant for him, and he returned to England. Then, notwithstanding the opposition of the Virginian interests in the Privy Council—for the lands in question were within the bounds of the charter of 1609—he succeeded in obtaining from the King the grant of a tract of country on the Potomac River, which he called Maryland, in honour of the King's consort, Henrietta Maria, and which included, together with what is now so known, a large portion of the future Delaware. Before the arrangement was completed, however, Lord Baltimore died, and the charter, which was signed in June 1632, was made out in the name of his eldest son, Cecilius, then twenty-seven. Expressly modelled on the county palatine of Durham, the new province was constituted as a palatinate, the Lord Proprietor holding his territory of the Crown in "free and common socage," subject only to an annual tribute of two Indian arrows in recognition of the King's supremacy, and to the payment of a fifth part "of all the gold and silver ore, within the limits aforesaid, which shall from time to time happen to be found."¹ He was thus invested with almost regal powers, for he could make war and peace, appoint officers, pardon criminals, and confer titles. But though the form set up by the charter thus represented an attempt to transfer decadent feudalism to the new soil of America, it was stipulated that the Lord Proprietor could legislate only with the advice and assent of the freemen of the colony, and that no tax could be levied upon them against their will.

After many difficulties due to the persistent antagonism of the former members of the now defunct Virginia Company, Lord Baltimore in November 1633 sent his brother Leonard out with two vessels, *The Ark* and *The Dove*, and over 300 colonists. Of these the labourers and mechanics, who were

¹ For the charter in full see *Narratives of Early Maryland*, ed. C. C. Hall, pp. 101-112.



THE COLONIES IN 1734

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in a large majority, were mostly Protestants; but the 'gentlemen' of the party were principally Catholics, and two Jesuit priests accompanied the expedition. On March 3, 1634, the emigrants reached Chesapeake Bay; entered the Potomac—a river so vast that "the Thames is but a little finger to it"¹—and near its mouth, on the site of an Indian village, they proceeded to found a town which they named St Mary's. The early years of the new colony were comparatively quiet; the emigrants, who were generally of a good type, had learned many valuable lessons from the bitter experiences of their neighbours; their climate was healthier, and their affairs better managed; while under the humane influence of the Jesuits friendly relations were established with the Indians of the region, the peacefully disposed Piscataways.² In these circumstances the Marylanders were able to escape the terrible hardships and privations through which the Virginians had recently passed. Their chief difficulties arose from misunderstandings with the Virginians over disputed boundaries. In particular, a fierce quarrel broke out between Lord Baltimore and a certain William Claiborne, a former member of the Virginia Council, who had established a fur-trading post on Kent Island in the Chesapeake, and, pleading prior possession, resisted Governor Calvert's claim to the island under his grant. The dispute led to a 'miniature war' by land and water, in which several persons on both sides were killed; and though Baltimore's title was ultimately confirmed by legal judgment in England (April 1638), Claiborne afterward seized every opportunity to stir up trouble. In the early internal history of the colony the most interesting episode was a collision between the Lord Proprietor and the burgesses. On their first meeting in 1635 the burgesses enacted laws which the Lord Proprietor refused to sign, on the ground that the right of initiating legislation

¹ Father White's account of the voyage, in *Narratives of Early Maryland*.

² "Experience hath taught us, that by kind and fair usage, the Indians are not only become peaceable, but also friendly. . . . Therefore any wise man will hold it a far more just and reasonable way to treat the people of the country well" ("A Relation of Maryland," chap. v, in *Narratives of Early Maryland*).

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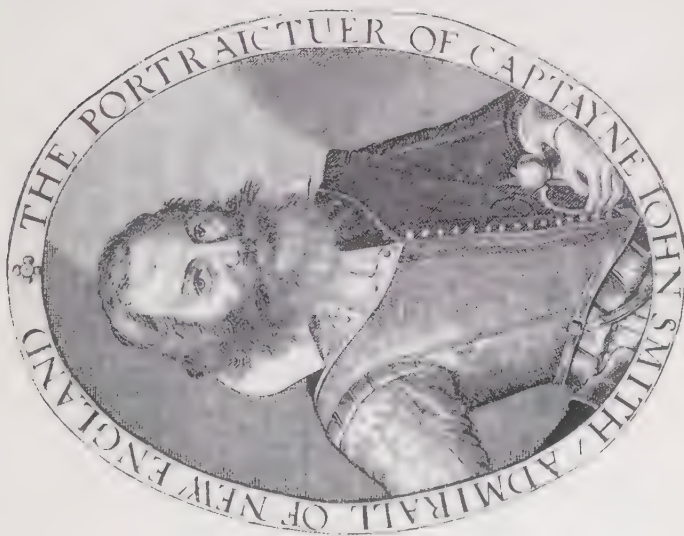
respect of his or her religion nor in the free exercise thereof within this Province . . . nor any way compelled to the belief or exercise of any other religion against his or her consent, so that they be not unfaithful to the Lord Proprietary or molest and conspire against the civil government established or to be established in this Province under him or his heirs."

Whatever the motives behind this policy of toleration, it is certainly noteworthy, and though probably there is a good deal of exaggeration in the rosy picture of peace and concord drawn by one contemporary writer,¹ it was still something of an achievement at the time to induce the warring creeds to bury the hatchet and forget their perpetual feuds. That in this matter the Calverts, whether from conviction or self-interest or both combined, were really in advance of their generation is strikingly proved by the fact that as soon as the Puritans came into power all toleration was thrown to the winds.

THE PLANTING OF THE TWO CAROLINAS

After the settlement of Virginia the country lying between that colony and Florida—the scene of the abortive experiments of the French Huguenots and of Raleigh—remained unoccupied, and though in 1629 it was granted by Charles I to his Attorney-General, Sir Robert Heath, no steps were taken for the present toward its colonization. As years went by, however, individual settlers and small parties from Virginia and New England, among them a number of Quakers and Dissenters, ventured independently into this unexplored region, bought land of the Indians, and established themselves along the Chowan River and at Cape Fear. But the history of the Carolinas really begins in the year 1663, when Charles II annulled the charter to Heath and gave the territory covered by it to a group of his "right trusty and well-beloved" friends, prominent among whom were the Earl of Clarendon (the Lord

¹ "Here the Roman Catholic and the Protestant Episcopal (whom the world would persuade have proclaimed open war irrevocably against each other) contrariwise concur in an unanimous parallel of friendship and inseparable love entailed with one another" (George Alsop, "A Character of the Province of Maryland" (1666), chap. ii, in *Narratives of Early Maryland*).



CAPTAIN JOHN SMITH
From a portrait on the map of New England in his
Description of New England



GENERAL JAMES EDWARD OGLETHORPE
From an engraving after a painting by Ravenet

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Chancellor), the Duke of Albemarle (the General Monk of Cromwell's time), Sir George Carteret, Sir William Berkeley (then Governor of Virginia), and Lord Ashley, better known under his later title of Earl of Shaftesbury. These associates appointed William Drummond, a Scotsman of Virginia, as their local governor, and both in the new colony itself and in England made great efforts to encourage immigration by generous land grants and even by the doubtful expedient of making the colony a place of refuge for insolvent debtors.¹

Then at Shaftesbury's request John Locke drew up an elaborate scheme of government (1669)—the "Fundamental Constitutions" as it was called—which with perverse ingenuity perpetuated the worst abuses of the old feudal system. The province was divided and subdivided into counties, seignories, baronies, and manors; the population into four 'estates'—proprietarys, landgraves, caciques, and commons. The eight proprietary, the eldest of whom held the position of palatine, together formed a body of petty sovereigns, self-elected and permanent, for on the failure of issue to any one the other seven were empowered to choose his successor. The nobility was hereditary; the legislature a Grand Council of fifty members, thirty-six of whom were to be nobles, the remaining fourteen representatives of the people, elected for life; the franchise rested on a property qualification of fifty acres; while with the object of checking all popular influences and lodging the power of government firmly in the hands of the ruling class, restrictions were imposed upon the tenants or leetmen which made their position practically that of the mediæval villeins, for not only were they bound to the soil and completely under the jurisdiction of their lords, but it was also provided that their children and children's children should remain leetmen "to all generations." Such an amazing experiment in constitution-mongering was of course foredoomed to failure, and before long it had to be formally abandoned. But it still possesses a certain amount of interest;

¹ The first legislature in 1669 enacted that no debts contracted by colonials before settlement could be collected from them in their new home.

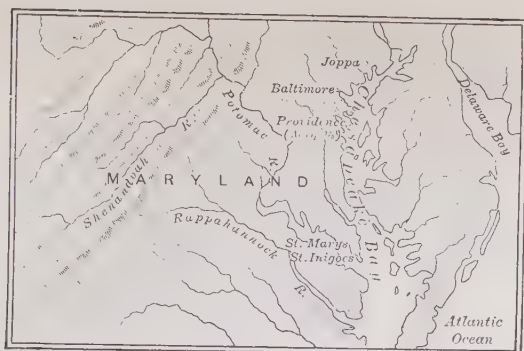
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a bulwark for the existing English colonies in the South against the encroachments of the Spanish in Florida.¹

Oglethorpe's charter vested the management of the new colony, which was named Georgia in honour of the King, in a board of twenty-one trustees, who were themselves to appoint the necessary officials, it being specifically provided that no member of the board should hold a salaried office. The government was to be entirely paternal; the settlers, for whose welfare it was devised, were to have no political rights; but the "liberties, immunities and franchises" of English citizens were guaranteed to them; slavery (now firmly established elsewhere in the South) was prohibited; and religious toleration was extended to all except Papists. These arrangements were, however, to remain in force only for a term of twenty-one years, at the expiration of which the charter was to lapse automatically and a permanent form of government to be created by the Crown.

In November 1732 Oglethorpe, as governor and general of the colony, sailed from England with a party of thirty-five families, comprising 120 persons, very carefully selected from a large number of applicants, and in February 1733 the town of Savannah was founded near the mouth of the river of that name. Oglethorpe then proceeded at once with the work of fortification against the Spanish, and also entered into treaty with the neighbouring Creek Indians. Next year a shipload of fresh immigrants, mainly German Protestants who had fled from persecution in Salzburg, arrived and settled a town which they called Ebenezer, and as they were industrious and thrifty they formed a welcome addition to the population. Shortly after a third town, Augusta, was planted 250 miles up the Savannah River. Such success aroused great enthusiasm in England. But experience on the spot soon showed that the progress of the colony would have to depend in the main upon the recruits who continued to reach it from Germany and Scotland, since most of the original settlers,

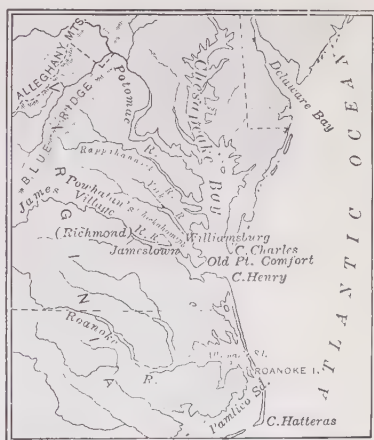
¹ For Oglethorpe's own statement of his objects and methods see his "Brief Account of the Establishment of the Colony of Georgia," in *Force's Tracts*, vol. i, No. 2, pp. 4-7.



EARLY SETTLEMENTS IN MARYLAND



THE CAROLINA COAST



EARLY VIRGINIA



SETTLEMENTS IN GEORGIA

THE SOUTHERN COLONIES

for whom the philanthropic scheme had been expressly prepared, proved lazy, fractious, discontented, and generally undesirable.¹ A good deal of trouble was also caused by the two Wesleys, who joined the colony in 1735: Charles as Oglethorpe's secretary, John nominally as missionary to the Indians. The brothers made themselves obnoxious by their rank intolerance and their masterful and meddlesome spirit, and it was therefore a relief to all concerned when, after a brief sojourn, they returned to England. Then came strained relations and incessant bickerings with South Carolina over the trade with Indians, the negro question, and the embargo which had been placed by the trustees on the importation of rum. Finally, in 1739, hostilities broke out with Spain. Oglethorpe, who had been carefully preparing against such an emergency, marched into Florida and attacked St Augustine, but sickness among his troops, and the desertion of many of the South Carolinians who had joined his command, compelled him to raise the siege. By repulsing a heavy assault on the fort at Frederica, however, he saved his colony from Spanish invasion.

This was in 1742. The next year he left Georgia to answer before a court-martial in London various malicious charges made against him by one of his own officers, and his personal connexion with the colony came to an end. Whatever we may think of the wisdom of his policy—and it is sufficiently evident that his zeal often outran his discretion—we must at least admire his fine humanitarian spirit and that “strong benevolence of soul” of which Pope wrote,² and which later endeared him to the tender-hearted Goldsmith. After his departure the fortunes of the colony waned. The trustees, yielding to clamour, had already repealed the law against the importation of rum, and in 1749, after a long struggle, they also capitulated to the demands of the landowners and

¹ *Cp.* Franklin's statement: “The settlement of that province [Georgia] had been lately begun, but instead of being made with hardy husbandmen, the only people fit for such an enterprise, it was with families of broken shopkeepers and other insolvent debtors; many of indolent and idle habits taken out of the jails” (*Autobiography*, chap. viii).

² *Imitation of the Second Epistle of the Second Book of Horace.*

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planters and gave their assent to the introduction of negro slavery. Their rule was both weak and injudicious, and under it the discontent of the original settlers continued to increase. Thoroughly disheartened with their experiment, they were glad to surrender their charter before the prescribed term of twenty-one years had expired, and in 1752 Georgia was taken over by the Crown and provided with a government similar to that of the other royal provinces.

It will be seen that as a matter of convenience we are here dealing with the foundation of the English colonies in America in the groups into which they naturally fall. The inclusion of Georgia—the latest of them all—in the present chapter, though necessitated by the topical plan adopted, has taken us a long way beyond the limits of early colonial history. We must now retrace our steps by more than a hundred years and consider the settlement of the colonies which form the most northerly group and which are collectively known as New England.

CHAPTER III

THE SETTLEMENT OF NEW ENGLAND

WHILE the London Company was, with infinite difficulty, laying the foundations of Virginia, the Plymouth Company was making unsuccessful efforts to establish itself on the north coast of America. In August 1606 a ship with twenty-nine settlers was sent out by it, but this was captured by the Spanish before it could reach its destination. The next year 120 colonists left England under the leadership of Sir John Popham's brother George, and landed at the mouth of the Sagadahoc or Kennebec River; but half the emigrants returned home in December; the severe winter proved fatal to most of those who stayed behind, including Popham himself; the handful of survivors abandoned the settlement in the following spring; "and this was the end of that northern colony."¹ For some years after this the Company remained inactive, while the French were busy in Acadia and the Dutch along the coast as far south as the Hudson. Meanwhile, however, occasional voyages were made by fur-traders and explorers, the most important of which was that of Captain John Smith, who in 1614 mapped the coast of what was then known as North Virginia or Norumbega, but which he now renamed New England.² On his return Smith joined the Plymouth Company as Admiral of New England, but only misfortune overtook the further attempts at settlement which were presently made. Then in 1620 Sir Ferdinando Gorges and a company of forty patentees obtained

¹ Strachey, *Travaile into Virginia Britannia*, quoted in Brown's *Genesis of the United States*, vol. i, p. 194.

² "In this voyage I took the description of the coast as well by map as by writing, and called it New England" (*Advertisement for the Unexperienced Planters of New England or Anywhere*, in Smith's works, p. 937).

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a fresh charter for what was now called the Council of New England, and under this they received the monopoly of trade in all the territory between the fortieth and forty-eighth degrees of latitude and from sea to sea. Their programme, however, aroused little interest and gained only a small measure of popular support. The design of colonizing New England thus seemed destined to failure when it received a strong impulse from a totally different direction.

RELIGIOUS FORCES IN THE COLONIZATION OF NEW ENGLAND

The Protestant settlement in England effected by the Reformation, instead of bringing peace to the country, as had been fondly hoped, had been followed by a renewal of controversy and agitation. The majority of the people, indeed, and nearly all the aristocracy and the wealthier classes, accepted the compromise of the English Church as now by law established ; but there were still many who were dissatisfied with it on various grounds, doctrinal, ecclesiastical, or ceremonial. These dissentients, who formed the nucleus of what is comprehensively known as the Puritan party, held in general that the Reformation had not gone far enough, and that the separation of the Church of England from that of Rome was not sufficiently complete. But though in agreement to this extent, they did not form a homogeneous group. There were, on the contrary, many and grave differences among them. The less radical—the Conformists—holding with Bishop Hall that it was “better to swallow a ceremony than to rend a church,” while intent on the carrying out of the many reforms on which they had set their hearts, desired none the less to remain within the ecclesiastical pale. The more radical—the Nonconformists—were schismatics as well as reformers, and withdrew entirely from all fellowship with an institution which was to them fundamentally and hopelessly unsound. Opponents in particular of episcopacy, these were again divided into two parties : the Presbyterians, who sought to substitute for the episcopacy government by synods, assemblies, and elders ; and the Independents or Separatists (also called Brownists, from

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their first leader, Robert Browne), who, as against both the Presbyterians and the Episcopalians, maintained that each congregation of Christians should be a self-organized and self-governing unit.

Our immediate interest lies with a congregation of these Separatists which gathered in the village of Scrooby, in Nottinghamshire, and which, though numerically weak, included some strong men in its membership, notably William Brewster, their chief layman, the Rev. John Robinson, one of their two ministers, and a youth named William Bradford, the son of a yeoman-farmer of the hamlet of Austerfield near by. Harassed by persecutions, this little congregation in 1607 resolved to do what two other Separatist communities had already done—the one fourteen years before, the other in 1606—and to emigrate in a body to Holland, the only country in Europe which then acknowledged the principle of freedom in religious thought. They encountered great difficulty in carrying out their plans, but in the end they contrived to escape, and after a short stay in Amsterdam, which they found uncongenial on account of their doctrinal dissensions with the brethren there, they established themselves in May 1609 in Leyden. There they lived on good terms with their Dutch neighbours, by whom they were “courteously entertained and lovingly respected,”¹ meanwhile enjoying “much sweet and delightful society and spiritual comfort together in the ways of God.”² But for various reasons they were not happy. Difference in language and in habits of life made them feel that they were strangers in a strange land; as country-folk they were ill at ease in their new conditions in a crowded city; they had difficulty in earning their livelihood; their children suffered morally and physically from their surroundings; and as their boys and girls grew up and began to marry into Dutch families they perceived the danger that ultimately their community

¹ Nathaniel Morton, *New England's Memorial*, p. 8. I quote throughout from the convenient and easily accessible reprint in *Chronicles of the Pilgrim Fathers* in Everyman's Library.

² Bradford, *History of the Plymouth Plantation* in Young's *Chronicles of the Pilgrim Fathers*, p. 35.

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would lose its identity and merge into the foreign world about them. These considerations, together with the "great hope and inward zeal they had of laying some good foundation, or at least to make some way thereunto, for the propagating and advancement of the Gospel of the Kingdom of Christ in those remote parts of the world,"¹ led them to determine upon yet another migration, this time across the Atlantic, and the threatened renewal, after twelve years of truce, of hostilities between Holland and Spain was a fresh and powerful incentive to departure. With the help of the liberal-minded Sir Edwin Sandys they obtained from the London Company a grant of land for their purpose, and from the King such grudging recognition of their religious rights as might be inferred from his promise not to molest them provided that they carried themselves peaceably.² A joint-stock company was thereupon formed; capital to the amount of £7000 was raised with the assistance of some seventy London merchants who were induced to interest themselves in the concern; and shares valued at £10 each were also taken up by the intending colonists themselves, to be paid for in money or in personal service according to the circumstances of each individual case. It was further agreed that everything was to be held in common by the colony for the first seven years, at the end of which term capital and property were to be divided *pro rata* among the adventurers. Owing to shortage of funds a portion only of the Leyden community was able to embark at once upon the enterprise. This pioneer group of the Pilgrims, as they called themselves, after a tearful parting with their brethren and a "lifting up our hands to each other and our hearts for each other to the Lord our God," crossed in the *Speedwell* from Delftshaven to Southampton, where they were joined by other emigrants of their faith, and where a second vessel, the *Mayflower*, of 180 tons, had been chartered for them. In these two ships, to the number of about 120, men, women, and children, they set sail from Southampton on August 5, 1620. But the

¹ Morton, *op. cit.*, p. 10.

² Bradford, *op. cit.*, pp. 29-39.

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Speedwell, belying its name, sprang a leak ; both vessels had to put back twice, first to Dartmouth and then to Plymouth ; on the second occasion the *Speedwell* was pronounced unseaworthy ; and on September 6 the *Mayflower* sailed alone with 120 Pilgrims. Of these only thirty-five appear to have belonged to the Leyden congregation ; among them that doughty soldier of the Lord—" broad in the shoulders, deep-chested, with muscles and sinews of iron " ¹—Captain Miles Standish. Of the recruits who joined in England three, like Standish himself, are familiar to us all through Longfellow's well-known poem—William Mullins, his daughter Priscilla, " the puritan maiden," and John Alden, a cooper of Southampton.

THE PLANTING OF NEW PLYMOUTH

In that small party of heroic men and women who thus faced the perils of the great deep, and the unknown dangers and trials which lay beyond, there were few of any special distinction. They were for the most part humble folk of the middle and lower classes, and no one would have thought of regarding them as the founders of a new nation. But there was that in their character which marked them off at once from the other adventurers who had crossed the Atlantic before them, for they were not mere fortune-hunters, but religious enthusiasts, though they joined with the fervour of their faith the practical ability and sound common sense of the stock from which they sprang. Their courage, born of purpose and conviction, was soon brought to the test, for the voyage was a rough one, and in their small overcrowded vessel they suffered intensely from want of ventilation, bad food, and all the horrors of sea-sickness. For sixty-five days their misery continued unbroken and unabated. Then at length, on November 11, they sighted the low sandy shores of Cape Cod. Their intention had been, in accordance with their grant, to settle somewhere in the territory of the

¹ Longfellow, *The Courtship of Miles Standish*, a poem which, apart from the interest of its love story, is valuable as a truthful and vivid picture of the early days of the Plymouth colony.

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London Company between the Hudson and the Delaware. This intention was, however, frustrated by their captain, who, whether by accident or of design—and the Pilgrims were themselves convinced that he had been bribed by the Dutch to carry them out of the way of their own trading stations¹—adopted a more northerly route. This upset their plans, but weary of the voyage and intimidated by the brutal sailors, they were forced to accept their unexpected fate, which forthwith, after their manner, they piously interpreted as a mysterious dispensation of Providence. After beating for some time up and down the coast, and sending out reconnoitring parties to examine the country, they found at last what they deemed a place “very good for situation”; landed on December 11 (O.S.) on what has since been known as the Forefathers’ Rock; and proceeded to establish themselves on the hill slopes near by, where a large tract of land had already been cleared by the Indians. They called their settlement Plymouth, in memory of the seaport where they had taken their final farewell of the Old Country three months before. In doing this they were probably unaware of the fact that the spot had already been so designated by John Smith in his map of the region.

One incident connected with their change of plan is very important. As their patent from the London Company had now no validity, they resolved to draw up for themselves a new set of articles of association, and this was signed on November 11—the very day on which Cape Cod was sighted—by all the adult male members of the party, forty-one in number. The incident is described and the document itself reproduced by a contemporary historian:

“This day, before we came to harbour, observing some not well affected to unity and concord, but gave some appearance of faction, it was thought good there should be an association or agreement, that we should combine together in one body, and to submit to such government and governors as we should by common consent agree to make and choose and set our hands to this that follows, word for word:

¹ Morton, *op. cit.*, p. 20.

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“ In the name of God Amen. We whose names are under-written, the loyall subjects of our dread Sovereigne Lord King James by the grace of God, of Great Britaine, France and Ireland King, defender of the faith, &c. Having undertaken, for the Glorie of God, and advancement of the Christian faith and *honor* of our king and countrie, a voyage to plant the first colonie in the Northern parts of Virginia. Doe by these presents solemnly and mutually in the presence of God, and of one another, covenant, and combine ourselves together into a Civill body politick ; for our better ordering, and preservation & furtherance of the ends aforesaid ; and by vertue hearof to enacte, constitute, and frame such just & equall lawes, ordinances, Actes, constitutions, and offices, from time to time, as shall be thought most meete & convenient for the generall good of the Colonie : unto which we promise all due submission and obedience. In witness wherof we have hereunder subscribed our names at Cap-Codd, the 11 of November, in the year of the raigne of our Sovereigne Lord King James of England, France, & Ireland the eighteenth and of Scotland the fiftie fourth. An^o Dom. 1620.” ¹

We must not, indeed, exaggerate the significance of this document, about which a good deal that is absurd has been written and talked. It is not to be regarded as providing the constitution of an independent state. Its purpose was much more modest ; it was simply “ an agreement made by Englishmen who, finding themselves on English soil without any specified powers of government, agreed to govern themselves until the king’s pleasure should be signified.” ² But even in this restricted sense the Mayflower Compact forms a notable landmark in the history of New England.

The Pilgrims arrived in their new home at a most unfortunate season, and the extremely severe winter tried them sorely. Their stock of food was soon exhausted ; hunger, exposure, scurvy, and other diseases played havoc among

¹ *A Relation or Journall of the Beginning and Proceedings of the English Plantation settled at Plymouth* (commonly known as *Mourt’s Relation*), ed. G. B. Cheever. See also Bradford, *op. cit.*, p. 54, and Morton, *op. cit.*, p. 23.

² Channing, *History of the United States*, vol. i, p. 309.

them; about half the company perished; and "of those that did survive in this time of distress and calamity that was upon them, there was sometimes but six or seven sound persons who (to their great commendation be it spoke) spared no pains night nor day to be helpful to the rest."¹ But for the fact that the neighbouring Indians, the Pokanokets, had recently been ravaged by a terrible pestilence, they would probably have wiped the infant colony out of existence; but their own weakness, which the Pilgrims promptly put down to Providence, rendered them innocuous.² Danger threatened them from another tribe, the powerful and warlike Narragansetts, who for some reason had escaped the epidemic; but this was averted by the firmness of William Bradford,³ who had been elected governor on the death of the first governor, Deacon John Carver, in the early spring. Even when the terrible winter was over the troubles of the colonists were by no means at an end, and for several years all their grim courage and tenacity of purpose were needed for the struggle for mere existence in which they were engaged. When in 1623 two ships brought out a number of fresh settlers "these passengers, seeing the low and poor condition of those that were here before them, were much daunted and dismayed, and, according to their divers humours, were diversely affected. Some wished themselves in England again; others fell on weeping, fancying their own

¹ Morton, *op. cit.*, p. 35. *Cp.* Bradford, *op. cit.*, p. 50.

² "By this meanes Christ (whose great and glorious workes the Earth throughout are altogether for the benefit of his churches and chosen) not onely made roome for his people to plant, but also tamed the hard and cruell hearts of these barbarous Indians" (Edward Johnson, *The Wonder-working Providence of Zion's Saviour in New England*). The same comfortable view was later expressed by the egregious Cotton Mather: "The woods were almost cleared of these pernicious creatures to make room for a better growth" (*Magnalia*, Book I, chap. ii, §6). The Indians feared the English, because they seem to have supposed that the English had the power to send the plague among them.

³ William Bradford was the guiding spirit of the colony till his death in 1657. He was born at Austerfield in 1588; during a long illness in boyhood began to study the Bible; and early attached himself to the Scrooby Separatists. During his sojourn with them in Holland he supported himself by silk dyeing. But he was always an industrious student, and in his scanty leisure made himself master of Greek, Latin, Hebrew, French, and Dutch.

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misery in what they saw in others ; other some pitying the distress they saw their friends had long been in, and were still under. . . . And truly it was no marvel they should be thus affected, for they were in a very low condition, both in respect of food and clothing at that time.”¹

The progress of the settlement was indeed very slow. After four years of existence Plymouth contained only thirty-two houses and 180 inhabitants. Its one broad thoroughfare—Leyden Street—led from the waterside up the hill ; a narrower street crossed this at right angles running north and south. On the hillside stood a log fort, which was primarily designed for defence, but which also served “as a place of public worship.” House-lots and fort were all enclosed within a palisade, while the gates at the end of the streets were guarded at night by watchmen. Plymouth was thus for the present nothing but a tiny pioneer outpost of civilization on the edge of the wilderness.

In this same year, 1624, however, a radical alteration was introduced in the economic system of the colony. Convinced that the communistic experiment was a mistake, Bradford abandoned it in favour of individual ownership,² and henceforth, instead of combining his labour with that of others on the common lands for the common good, each man was given an acre of ground where he might “set corn for his own particular.”³ In making this change Bradford unquestionably violated the contract of the colonists with the London shareholders, but the results justified his bold action, for he certainly saved the colony. None the less, the relations of the settlers with the Merchant Adventurers, never very friendly, now became more and more strained. Financial disputes were in part the cause of the increasing tension, but religious feeling had also a share in it, for some of the London partners were zealous Churchmen, and were much chagrined by the thought that with the money they had provided for a commercial enterprise they were helping to build up a Separatist

¹ Morton, *op. cit.*, pp. 65-66.

² See Bradford, *op. cit.*

³ Brown, *Genesis of the United States*, vol. i, pp. 33-35.

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community overseas.¹ At length the troubles came to a head, and in 1627 the colonists bought out the interests of the London shareholders for £1800, to be paid by nine yearly instalments. From this time on the number of immigrants greatly increased, and the colony prospered. In 1643 it contained ten townships and upward of 3000 inhabitants.²

Meanwhile, though their relations with the Indians continued on the whole satisfactory, the Plymouth people had a good deal of trouble with their white neighbours. This trouble arose from various attempts which were made to found other settlements in the vicinity. In 1622 Thomas Weston, a London merchant who had been in partnership with the Pilgrims, but now thought that he could do better on his own account, sent out some "sixty lusty men,"³ who planted themselves at Wessagusset (afterward Weymouth), twenty-five miles north of Plymouth, and rendered themselves obnoxious by their idleness and profligacy. The next year Robert Gorges, Sir Ferdinando's son, tried to establish a colony on the north-east side of Massachusetts Bay. Then in 1625 a Captain Wollaston brought out a party of indentured servants to Wessagusset, and though he soon transferred them to Virginia, he left behind his partner, Thomas Morton, who at once became a source of great offence to the Plymouth community. This Morton was a dissipated lawyer, or "pettifogger," as the Puritans called him,⁴ of Clifford's Inn, who not only introduced the episcopal service, which was bad enough, but indulged in regular carousals at Merry Mount (as he renamed his settlement) and "revels and merriment after the old English custome."⁵ When May Day came he even went so far as to set up a maypole, eighty feet

¹ For this reason they had prevented the Rev. Mr Robinson from going out to Plymouth, and had even sent over a clergyman of their own, who was, however, soon obliged to leave. They also made attempts to destroy the character of the colony by introducing settlers of more orthodox views, but only discord resulted.

² Bradford, *op. cit.*, p. 444.

³ Morton, *op. cit.*, p. 51.

⁴ *Ibid.*, p. 90.

⁵ Thomas Morton, *New English Canaan*, Book II, chap. xiv, in Force's *Tracts*, vol. iii. It is scarcely necessary to say that this Thomas Morton is to be carefully distinguished from Nathaniel Morton the Puritan.

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high, round which, having been duly stimulated by much "excellent beare" and "other good cheere," the settlers and a number of Indian girls "frisked" together "like so many fairies or furies rather."¹ As maypoles had long been anathema to the Puritans at home, this audacious innovation, as Morton himself afterward wrote, was "a lamentable spectacle to the precise Separatists," who "termed it an Idoll, yea, they called it the Calfe of Horeb,"² and to whom in fact the whole performance seemed like a revival of "the beastly practices of the mad Bacchanalians."³ As Merry Mount lay outside their jurisdiction they had, of course, no right to interfere, but when they learned that "the said Morton" was selling fire-arms and powder to the Indians, they felt that considerations of safety dictated drastic action; and as Morton refused to listen to their remonstrances, in 1628 Captain Miles Standish, with a party of militia, broke up the settlement and shipped the offender off to England.

New Plymouth, though it failed in several attempts to obtain a regular charter from the English Government, retained its independence till 1691, when it was incorporated with Massachusetts. The first founded of the New England colonies, it had meanwhile led the way in political organization. At the outset it was ruled by a governor and a number of officers or 'assistants,' elected by popular vote in a primary assembly which met at Plymouth and was called the General Court. With the expansion of the colony, however, and the rise of other townships, it became increasingly inconvenient for all freemen to attend the meeting in person; and in 1638 a representative system was introduced, under which Plymouth sent four delegates and the other towns two each to the General Court. It should be noted that only Church members were admitted to full citizenship and the right of franchise. The Church was thus the centre of the colony, and the colony itself fundamentally a theocracy.

¹ Morton, *op. cit.*, p. 91.

² *New English Canaan*, *loc. cit.*

³ Morton, *op. cit.*, p. 91.

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THE PLANTING OF MASSACHUSETTS

Among the settlers in the vicinity of Plymouth was a party sent out to Cape Ann in 1623 by some merchants of Dorchester. Disputes about fishing rights arose between them and the Plymouth people, and after three years of struggle the enterprise was abandoned as unprofitable. Most of the party then went home, but the local manager, Roger Conant,¹ with a handful of men moved from Cape Ann to Naumkeag, farther back on the mainland, where he resolved to hold his ground pending instructions and reinforcements from his employers. Through the energetic action of a Dorchester rector, the Rev. John White, a second company was then formed, this time of wealthy and influential men, and in March 1628 a patent was obtained from the Council of New England for a strip of land along the coast from three miles south of the Charles River to three miles north of the Merrimac, and extending from the Atlantic westward "to the South Sea." In origin this was merely a commercial undertaking, but at that time of fast-increasing disaffection, when the Puritans, alarmed by the repressive policy of Charles I and Laud,² were more and more looking toward New England as an asylum, the religious element soon became the dominant factor. This was shown by the composition of the first party of emigrants, sent out in June 1628 under the leadership of one of the partners, Captain John Endicott, a stern man of iron will, and a Puritan of the most aggressive and uncompromising type. Proceeding at once to Naumkeag, the new arrivals at first came into

¹ Conant himself had belonged to Plymouth, but had been banished. The records of the colony are, however, silent as to the cause. Possibly he came to loggerheads with the authorities because, though a moderate Puritan, he was not, so far as we know, a Separatist.

² As Professor Tyler has admirably said, "New England can never quite appreciate its great obligations to Archbishop Laud. It was his overmastering hate of nonconformity, it was the vigilance and vigour and consecrated cruelty with which he scoured his own diocese and afterward all England, and hunted out the ministers who were committing the unpardonable sin of dissent, that conferred upon the principal colonies of New England their ablest and noblest men." (*History of American Literature during the Colonial Period*, vol. i, pp. 204-205.)



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An ideal statue commemorative of Deacon Samuel Chapin, a magistrate of Springfield, Mass., 1652

By Augustus St Gaudens

Reproduced by courtesy of the Art Institute of Chicago

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collision with Conant and his adherents, but the dispute, which threatened to lead to a "dangerous jarre," was amicably settled; for which reason the place was renamed Salem, or 'Peace.'¹ The following March a royal charter was obtained, incorporating "the governor and Company of Massachusetts Bay." This charter, which turned a group of traders into a political organization, was conceived in a curiously liberal spirit. The administration of the colony's affairs was entrusted to a governor, deputy-governor, and eighteen assistants, all of whom were to be elected annually by the whole body of freemen, who together with these officers were to meet four times a year in a General Court to discuss all matters pertaining to the welfare of the colony and to enact laws. We note as a singular omission that no reference was made in the charter to the question of religious liberty. This apparent oversight was probably due to the calculation of both parties—that of Laud and that of the Puritans—each of which secretly intended that when the proper time came it should be turned to its own advantage.

That summer 200 more colonists arrived, and the new settlement forthwith began to prosper under Endicott, now formally appointed governor. But already the Massachusetts Company had another design in mind, which was nothing less than the removal of their headquarters from London to New England, where they would be free from the supervision of the bishops and the interference of the Court. In August twelve of their most influential members met at Cambridge and entered into an agreement "to pass the seas (under God's protection) to inhabit and continue in New England," but this undertaking was made contingent upon the proviso "that before the last of September next the whole government together with the patent of the said plantation be first by an order of the court legally transferred and established to remain with us and others which shall inhabite upon the said plantation."² This condition was fulfilled,

¹ Psalm lxxvi, 2.

² This Cambridge Agreement is printed in full in R. C. Winthrop's *Life and Letters of John Winthrop*, vol. i, p. 344, and in *American History told by Contemporaries*, ed. A. B. Hart, vol. i, pp. 371-372.

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though not till the following year. The transfer of the charter, as the sequel proved, had an importance not realized by the authorities at the time. It meant the completion of the transformation of the original trading company into an independent state—a religious commonwealth founded upon the Bible.

Then came what is known as the Great Emigration. In April 1630 eleven vessels crossed the Atlantic, followed by others later in the year, carrying hundreds of men and women of stout hearts and intense religious feeling—Puritans and reformers, though not Separatists like those of Plymouth—for whom the rule of the autocratic King and the narrow and vindictive Laud had become unbearable, and who looked to New England as their Promised Land. The leaders of this exodus were merchants, country gentlemen, and soldiers, persons of wealth and standing; the rank and file mostly substantial farmers and yeomen. "It was the emigration of a people, not the mere setting forth of colonists and adventurers."¹ The authorities in England became alarmed at so serious a draft upon the population, and even made efforts to stop it, but conditions at home were now so critical that their attention was preoccupied with their own affairs. In 1633—the year which saw Laud's accession to the Primacy and the beginning of his adoption of Strafford's policy of 'Thorough'—the westward tide was still flowing steadily. In May 1634 the population of Massachusetts is estimated to have reached 4000. In 1643, when the Civil War checked the outflow, it was upward of 16,000.

The first governor under the new order, supplanting Endicott, was John Winthrop, a Suffolk gentleman and magistrate, and a man of strong character and statesman-like qualities, who had been one of the signatories to the Cambridge Agreement, and to whom the charter had been entrusted for transfer to the colony. Winthrop's place in the early history of Massachusetts is analogous to that of Bradford in the early history of New Plymouth. With two

¹ H. C. Lodge, *Short History of the English Colonies in America*, p. 344.

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short interruptions he was elected governor year by year till his death in 1649, and he exercised a predominant influence over the affairs of the colony.

The rapid growth of Massachusetts inevitably led to the dispersion of the population from its original centre at Salem ; other independent churches were established, and towns grew up about them ; by 1634 there were already sixteen of these, including Charlestown, Roxbury, Watertown, Newtown (afterward Cambridge), and Boston, the last of which, founded in 1630 and named after the Lincolnshire town from which many of the Puritans had come, soon became the capital. With this dispersion began, as in Plymouth, a system of representative government, two delegates being sent by each town to a General Court in Boston. Here too, as in Plymouth, the governor, deputy-governor, assistants, and delegates at first deliberated and voted in a single body. But this arrangement was altered in 1642. In that year it happened that a woman prosecuted a citizen for stealing and killing a pig. The hearing of the case occupied the court for seven days, and in the end the majority of the assistants voted for the acquittal and the majority of the deputies for the conviction of the accused. This trivial dispute brought to a head misunderstandings already existing between the deputies and the assistants regarding their respective powers, and the legislature was then divided into two houses, the deputies sitting in one, the governor, deputy-governor, and assistants in the other.

One fundamental feature of the constitution of Massachusetts Bay—a feature which that colony had in common with the earlier settlement at Plymouth—calls for special emphasis. The Church was the nucleus of the body politic. In 1631 the General Court enacted that the freedom of the commonwealth was contingent upon Church-membership, and that this alone gave the right to vote. This limitation of the franchise meant the establishment of a kind of aristocratic republic. It meant also the union of Church and State in a single organization, with the Church as the predominant partner. The grand theocratic ideal of the Puritans was

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thus realized. The secular government of the colony rested firmly on the basis of religion.

As was in the circumstances inevitable, the General Court soon came into conflict with the English Government. Too late the authorities at home awoke to the fact that in permitting the transfer of the charter to America they had inadvertently consented to the setting up of an independent state.¹ The consequences of that bad blunder had now if possible to be repaired. Accordingly, a royal commission was appointed, with Laud at the head, to inquire into the whole subject ; a demand was made for the surrender of the charter ; and the King announced his intention of sending out a royal governor. The Massachusetts Government temporized, but meanwhile proceeded to build forts, drill the militia, and make other preparations for armed resistance in case the necessity should arise. At the same time, however, they sent to England one of their men of note, Edward Winslow, with a humble petition from the governor and his council setting forth their own views of the situation. But through Laud's "vehement impetuosity" Winslow, on charge of breaking the ecclesiastical law by solemnizing marriages in the colony, was thrown into the Fleet Prison, where he remained seventeen weeks. This was in 1635. While he was still detained in London the old Plymouth Company surrendered its charter to the King on condition that all existing titles in New England should be cancelled and a fresh partition of the whole country made among the twelve associates of the Plymouth Council. Upon this the Massachusetts charter was declared null and void, and Sir Ferdinando Gorges was appointed viceregal governor of all New England. But Massachusetts silently ignored the writ ; Gorges never went out to assume his authority ; and as the hands of the Government were now tied by increasing difficulties at home, the colony was for the present left unmolested.

¹ It is noteworthy that oaths of allegiance administered were of allegiance, not to the King, but to the Government of the colony.

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THE PLANTING OF CONNECTICUT

The centrifugal forces which caused the emigration to Massachusetts did not cease to operate with the establishment of that colony. Three secondary colonies or offshoots—Connecticut, New Haven, and Rhode Island—were the results of their continued activity.

In 1633 the Dutch, who, with their centre at New Amsterdam, had for some years past enjoyed practically a monopoly of the Indian trade throughout the Long Island Sound, seeing their privileges threatened by the growth of the Pilgrim colony, endeavoured to check their rivals by establishing a trading post and fort, which they called Good Hope, at Suckiag, at the junction of the Mill and Connecticut Rivers. The Pilgrims replied by founding a trading station of their own on the site of the present Windsor, ten miles farther north on the Connecticut. But while they were thus able to make good their position against their foreign neighbours their territorial rights were much more seriously contravened by their own countrymen in Massachusetts, who, attracted by the fertility of the Connecticut valley and the possibilities of the beaver trade there, began "hankering" after the new country.¹ At first only stray settlers occupied the region. But in 1635 there was a general emigration thither from three Massachusetts towns—Watertown, Newtown, and Dorchester—which really represents the secession of the more democratic elements in the colony. Many of the inhabitants of these towns had been growing restive under the rigorously repressive and high-handed policy of the authorities in Boston. Watertown had been in conflict with them over certain taxes imposed by the Court of Assistants. Dorchester was the home of Captain Israel Stoughton, who, like Richard Brown and John Oldham of Watertown, had fallen under the ban of the Church. Newtown felt sore because, while first chosen as the capital of the colony, its claims had been rejected in favour of those of the neighbouring town of Boston. Hence in each case there was sufficient cause for rupture. The

¹ Bradford, *op. cit.*, pp. 388, 402.

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emigration which followed, and which was made with the permission of the Massachusetts authorities, reluctantly given on condition that the new settlements should remain under their jurisdiction, was an emigration, not of individuals, but of churches and communities—of ministers, elders, deacons, and people, with their wives, children, cattle, and household goods. Its general leader was the Rev. Thomas Hooker, who, as against his great rival, the Rev. John Cotton, and most of the Massachusetts ministers, held pronouncedly democratic views of government both in Church and in State.¹ The Watertown people settled at Wethersfield; the Newtown people at Hartford; the Dorchester people at Windsor. Naturally enough, the Plymouth Pilgrims resented this invasion of their territory, but remonstrances being useless they had to submit. The same year Governor Winthrop's son (also John) independently established a military post at Saybrook, at the mouth of the river, on behalf of two Puritan noblemen, Lord Brook and Lord Say and Sele,² who had obtained from the Council of New England a grant of country from the Atlantic to the Pacific and southward from the Narragansett 120 miles toward Virginia. This had nothing to do with the upper towns, but it helped them by effectively blocking the Dutch, who had intended to cut off the Connecticut settlement from the rest of New England.

The feeble colony was soon threatened with destruction by a general rising of the Pequod Indians in 1637-38. But a small force of fighting men, strengthened by 200 Narragansetts, and under command of Captain John Mason of Windsor, who had learned the art of war in the Netherlands,

¹ Thomas Hooker was born about 1586 at Markfield, Lincolnshire, and was educated at Emmanuel College, Cambridge, the cradle of so many Puritan divines. Entering the Church, he was appointed to the living of Chelmsford, Essex. There he aroused the hostility of Laud, who drove him from his pulpit. Cited to appear before the ecclesiastical courts, he fled for safety to Holland. He sailed thence for New England in 1633, and soon after his arrival became the minister of the church at Newtown.

² These two noblemen also proposed to join the colony of Massachusetts, but their conditions, which included the introduction of an hereditary aristocracy and the abandonment of the Church-membership qualification for citizenship, were rejected.

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not only crushed the enemy, but almost exterminated him in the most approved Old Testament style.¹

The war over and the colony saved, the freemen of the three towns met at Hartford and adopted a constitution by which they severed their connexion with Massachusetts and organized themselves into an independent "public state or commonwealth." This, "the oldest truly political constitution in America"²—for the Mayflower Compact had been a compact merely—was in the main the work of Hooker, who had, as he believed, though the matter is by no means so clear to us as it was to him, found all his principles in the first chapter of Deuteronomy.³ It contains no reference to the King, or to any patent or charter, and no recognition of the superior authority of England. The government which it set up was very simple. Two assemblies or courts were to be held annually: the first in April, for the election of a governor and six magistrates; the second in September, for legislation and the transaction of other public business. The towns were to be represented by two deputies each. The governor was to be "a member of some approved congregation," but no religious qualification for the franchise was specified. In 1645 the General Court divided, as in Massachusetts, and the bicameral system was introduced, the deputies forming the lower house, or assembly, the governor and magistrates the upper house, or council.

In the history of the formation of Connecticut account has to be taken of another colonial enterprise.

¹ This war of extermination was in fact justified by Old Testament precedent. "It may be demanded, why should you be so furious (as some have said), should not Christians have more mercy and compassion? But I would referre you to *Dauids warre*, when a people is growne to such a height of bloude, and sinne against God and man, and all confederates in the action, then hee hath no respect to persons, but harrowes them, and sawes them, and puts them to the sword, and the most terriblest death that may be: sometimes the Scripture declareth women and children must perish with their parents; some time the case alters; but we will not dispute it now. We had sufficient light from the word of God for our proceedings." (Captain John Underhill, *Newes from America*, p. 40.)

² Bryce, *The American Commonwealth*, vol. ii, p. 24, n. 1.

³ For these "Fundamental Orders," as they were called, see *American History told by Contemporaries*, ed. Hart, vol. i, pp. 415-419.

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In 1638 a body of English emigrants settled at Quinnipiac, which they named New Haven, on the Long Island Sound, thirty miles west of the Connecticut River. Their leaders were the Rev. John Davenport, a Puritan clergyman who had been expelled from his cure by Laud and driven by persecution to Holland, and a prosperous London merchant named Theophilus Eaton; and with these were "many wealthy persons of note, whom the Lord had furnished with store of substance for this wilderness work."¹ The first bond of union among these "free planters" was a simple "plantation covenant," by which they agreed to accept the Scriptures as their one rule alike in civic and in religious affairs. But in 1639 they met in a barn and framed a regular constitution of so rigorously Biblical a character that trial by jury was excluded from it because that institution had no authority in the Word of God. Other churches soon sprang up in the neighbourhood on the same model: at Guildford in 1639, at Milford in 1639, at Stamford and Southold in 1640. These were at first independent communities. But in 1643 they all united with New Haven, and a system of representative government was introduced. This little republic enjoyed some years of vigorous life. But it did not succeed in its efforts to obtain a charter, and in 1664 it was absorbed by Connecticut under the charter granted to that colony by Charles II two years before.

THE PLANTING OF RHODE ISLAND

Though the misconception is still embedded in popular thought, it is, of course, altogether an error to suppose that the founders of New Plymouth and Massachusetts were in any sense apostles of toleration and religious freedom. What they sought in New England was not liberty of opinion, but liberty for their own opinions, and in their passionate conviction of the truth of their own opinions, and in their determination to impose them upon all within the range of their power, they soon showed themselves as narrow-minded and despotic as the Anglicans from whose persecution they

¹ Edward Johnson, *op. cit.*, pp. 122-124.

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had fled.¹ The consequence was that they in their turn necessarily aroused opposition among some of the more independent spirits in their midst, and religious and civil upheavals followed as a matter of course. Two of these upheavals have an important place in the history of New England colonization—those connected with the names of Roger Williams and Mrs Hutchinson.

Roger Williams was the son of a merchant tailor in London, where he was born about 1600. A precocious boy, at fifteen he was employed by the Star Chamber in taking shorthand notes of speeches and sermons, and by his skill in this work attracted the attention of Sir William Coke, through whose interest he was sent to Sutton's Hospital (now the Charterhouse School), of which Coke was a governor.² Thence he went to Pembroke College, Cambridge, and in due course was admitted to Holy Orders. But he soon got into ill odour as an extreme Puritan and Separatist, and in 1631 sought refuge in New England. Almost from the first, however, he began to stir up strife. A "headstrong measureless man,"³ an 'ultra' in all things, and a born agitator, aggressive and uncompromising, stiff in principle⁴ and of dauntless courage, he at once came into conflict with the authorities when, invited to the joint pastorate of the church at Boston, he refused even to enter into membership with it because its people "would not make a public declaration of their repentance for having communion with the churches of England,

¹ Thus the Rev. William Blackstone, a Puritan member of the English Church, records his reason for leaving Boston after a very brief sojourn there: "I came from England because I did not like the Lord-Bishops; and I cannot join with you because I would not be under the Lord-Brethren."

² Among his most noteworthy intellectual gifts was a remarkable aptitude for languages. He afterward taught Milton Dutch (see Masson, *Life and Times of Milton*, vol. iv, pp. 528-533). He was one of the first students of the Indian tongues, and wrote a treatise on them.

³ Tyler, *History of American Literature during the Colonial Time*, vol. i, p. 242.

⁴ By his refusal to take the oath prescribed by the Court of Chancery he had in earlier life sacrificed a fortune of some thousands of pounds. I refer to this incident because it shows how utterly indifferent he was to all considerations of personal interest when matters of conviction were concerned.

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while they lived there.”¹ From Boston he went to Salem as assistant minister ; then to Plymouth, where he earned his living by manual labour ; then back to Salem. By this time, by “ venting of divers of his own singular opinions,”² he had thrown the whole of New England into commotion. He attacked the union of Church and State as it existed in Massachusetts ; denied the right of the magistrates to punish Sabbath-breaking and other breaches of the law of the First Table ; and even proclaimed that “ there should be a general and unlimited toleration of all religions,” since “ for any man to be punished for any matters of his conscience, was persecution.”³ Such opinions cut at the very ground upon which the theocracy of New England had been established. Moreover, it came to be known that he had written a pamphlet in which he impugned the right of the colonists under their charter, and maintained that as the King had no power to grant lands belonging to the Indians, the colonists themselves were usurpers. This particular theory he presently recanted. But the general quarrel continued, and finally, in the autumn of 1635, the Court of Massachusetts decreed his banishment. To avoid deportation to England he then escaped from Boston, passed the winter with the Pokanoket Indians, whose friendship he had won, and in the early summer of 1636, with five staunch followers, began to prospect for the site of a new settlement on Narragansett Bay. At first he began building on the eastern bank of the Seekonk River, but Edward Winslow, who, despite their differences of opinion, remained his friend,⁴ privately warned him that if he settled there he would still be within the boundaries of Plymouth. He therefore moved a little farther on, and buying some lands of the Indians, established a plantation which, on account of the

¹ John Winthrop, *History of New England*, vol. i, p. 63.

² Morton, *op. cit.*, p. 102.

³ *Ibid.*, p. 104.

⁴ A touching little incident recorded by Williams himself illustrates the relations of the two men. Later Winslow came to visit him in his new home, and noting his extreme poverty “ put a piece of gold into the hands of my wife for our supply ” (letter of June 22, 1670, in *American History told by Contemporaries*, ed. Hart, vol. i, p. 404). As Professor Tyler has well said, this turbulent and often indiscreet man had “ the gift of friendship ” and was “ in truth a clubable person ” (*op. cit.*, vol. i, pp. 242, 243).



JOHN WINTHROP
Governor of Massachusetts
After a portrait in the Massachusetts Senate Chamber



EDWARD WINSLOW
Governor of Plymouth Colony
After a painting in Pilgrim Hall, Plymouth,

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numerous "providences of the most Holy and only wise," he called Providence,¹ and where he was soon joined by many members of the Salem church. This was the beginning of the colony of Rhode Island.²

Scarcely had the heretical Roger Williams been driven as a black sheep from the fold when the peace of Massachusetts was again rudely broken by theological controversy, this time precipitated by a woman. Ann Hutchinson, the daughter of a Lincolnshire clergyman named Marbury, had been a member of the Rev. John Cotton's church of St Botolph's in the English Boston, and when he emigrated to New England she and her husband followed him across the sea. An able and restless woman, of "a nimble wit" and "a very voluble tongue,"³ Mrs Hutchinson was at first extremely popular among the colonists by reason of her philanthropic activities. But presently she began to hold meetings for women in which the sermons of the ministers were freely scrutinized and canvassed, and then, passing from criticism to 'prophesying' on her own account, she alarmed the magistrates by the open proclamation of various heretical opinions. Among other things she taught the doctrine of the "inner light," and so challenged the central tenet of Puritanism—the final authority of the letter of the Scripture—and together with this upheld a peculiar view of the nature and effects of sanctification which, it was considered, savoured strongly of antinomianism. Such theological subtleties are mere sawdust in the mouth for us to-day, and we turn with impatience from the jargon in which they were discussed, but they threw the whole colony into a state of intense excitement and threatened for the moment to rend it in twain. For Mrs Hutchinson had a large and influential following, which included among the ministers such men of light and leading as John Cotton himself, John Wheelwright, and among the laymen young Sir Henry Vane, who had emigrated to

¹ Letter of June 22, 1670, as above.

² The name was originally that of an island in Narragansett Bay, so called either from its supposed resemblance to Rhodes in the Mediterranean, or, more probably, by a corruption of the Dutch Roodt Eylandt—Red Island—with reference to the red clay on the shore.

³ Winthrop, *op. cit.*

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Massachusetts in 1635 and was at that time governor of the colony. A bitter conflict ensued, but in the end the Hutchinson party was routed, Winthrop was re-elected governor in the place of Vane, who in anger sailed back to England (August 1637), and Mrs Hutchinson, after a long trial by the General Court, was found guilty of heresy, banished as "a woman not fit for our society," and formally excommunicated by the Church. She and the stoutest of her adherents then made their way to that home of disaffected spirits, Rhode Island, where they founded the town of Portsmouth. But the theological storm had not yet spent its force, and in 1639 dissensions on points of doctrine arose within the new community, as a result of which the chief magistrate, William Coddington, seceded, and began a fresh settlement, called Newport, farther south.¹

Rhode Island now contained three small towns—Providence, Portsmouth, and Newport—which for the moment were entirely independent of one another. But in 1643, through the efforts of Roger Williams, then in England, and the influence of his faithful friend Sir Henry Vane, they, together with a fourth town, Warwick, which in the meanwhile had been established by another irreconcilable from Massachusetts, Samuel Gorton, were united under the name of the Providence Plantations, which was later changed for Rhode Island. From this time on the new colony became a recognized asylum for sectaries and fanatics of all descriptions, alike for those who were driven out of Plymouth and Massachusetts and for those who voluntarily shook the dust of these colonies from their feet. The presence of so many disruptive elements inevitably led to feuds and frequent anarchy—at one time, indeed, hostile governments existed at Providence and Newport; and while the welfare of the colony was thus imperilled from within, both Plymouth and Massachusetts continued to harass it from without. But in

¹ To complete the personal side of the story it may be added that after her husband's death Mrs Hutchinson moved to New Rochelle in what was then the Dutch colony of New Netherland, and that there in 1643 she and her entire family, with the exception of one daughter, who was carried into captivity, were murdered by the Indians.

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1654 the various jarring factions were reconciled by the tactful influence of Roger Williams, and the design of Massachusetts to absorb it was thus frustrated. Four years later Massachusetts finally relinquished all claim to jurisdiction over it; in 1663 it obtained a charter, and under this in 1664 a regular government was at length constituted.

THE PLANTING OF MAINE

Meanwhile, Sir Ferdinando Gorges' interest in New England had not been destroyed by the course which things had taken there, obnoxious as that course was to one of his religious and political views. As early as 1622 he and John Mason¹ obtained a grant of country between the Merrimac and Kennebec Rivers, but though much money was spent in attempts to develop the trade in salt fish and furs in that region, no permanent settlement was effected. Then in 1629 the partners divided their property, Gorges taking the territory from the Kennebec to the Piscataqua, to which he afterward gave the name of the Province of Maine.² This possession was confirmed in 1635, when the coast of New England was repartitioned by the Council, and in 1639, under a charter from the King, he was made Lord Proprietor of it with all the powers and rights of a Count Palatine. Gorges, now an old man, amused himself by drawing up an elaborate constitution, which for absurdity and inappropriateness outdid in anticipation that devised by Locke for the Carolinas thirty years later. But though it pleased his fancy to call into existence for the management of his tiny struggling pioneer community a grandiose scheme of government which, as has been well said, would better have suited the Byzantine Empire, his undertaking did not flourish, and his death in

¹ Not the hero of the Pequod war, but a London merchant of strong royalist sympathies, and a friend of the Duke of Buckingham. It was in his house at Portsmouth that that worthless nobleman was assassinated in 1628 on the eve of his embarkation for La Rochelle.

² The name has never been satisfactorily explained. It is supposed by some historians to have been taken from the French province of Maine, and to have been adopted as a compliment to Charles I's French wife; by others, that it was the name used by the local fishermen to distinguish the mainland from the islands.

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1647 left his settlement in confusion. Unable to get any help or guidance from England, the inhabitants of the three principal hamlets then met and formed themselves into a body politic. But the weakness of the colony made it a temptation to its most powerful neighbour, and by a gradual process of annexation, extending from 1652 to 1658, it was absorbed by Massachusetts. It was, however, a condition of submission that the settlers should retain their civic privileges without the imposition of any religious test or qualification.

THE PLANTING OF NEW HAMPSHIRE

In the division of 1629 Mason had taken the country between the Piscataqua and the Merrimac, which he called New Hampshire from the English county where he had an estate. Already there were a few settlers scattered about in this region. In 1622 one David Thompson and a small party of fur-traders had built a station at Odierne's Point (now Rye), and about the same time some Puritan fish-dealers of London named Hilton had established themselves at Cocheco, higher up the river. But Mason's own venture began in 1630, when he sent over as his agent a certain Captain Neal, with a large party of farmers and fishermen well provided with stores, clothing, and tools, who next year started a settlement at Strawberry Bank, which later grew into the town of Portsmouth, while another agent, Ambrose Gibbons, settled at Hilton's Point, which later became Dover. Mason died in 1635, after sinking large sums of money in his schemes, and his widow thereupon sent word to the colonists at Strawberry Bank that they would now have to shift for themselves. The communities which had thus grown up in the region covered by Mason's grant had little in common; they differed from one another in origin and in political and religious opinions;¹ and hence there was scarcely any tendency to fusion among them. Between 1641 and 1643 they were taken over by Massachusetts and formed into the county of Norfolk, one of

¹ Some of Mrs Hutchinson's adherents, after their expulsion from Massachusetts, instead of following her south, had gone north into New Hampshire, where they had founded the towns of Exeter and Hampton.

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the four counties into which that colony was then divided ; but, like the inhabitants of Maine, they were exempted from the condition that all officers and voters must be members of the Church. In 1679 disputes arose in connexion with the revival of the Mason family's claim under the original grant, and New Hampshire was then transformed into a royal province. In 1685 it was re-ceded to Massachusetts, from which, however, it was again separated, this time finally, in 1741.

THE NEW ENGLAND CONFEDERATION

The dispersion of the English stock over New England, briefly traced in the foregoing pages, was, as we can now see, the result of the powerful centrifugal forces at work at the time. It secured the independence which was then specially sought, but such independence entailed weakness, and the sense of weakness was bound sooner or later to make itself felt in face of outside dangers which threatened not this or that colony only, but all the colonies alike. There were dangers from the Indians along all the frontiers. There were dangers in the North from the French, who were now spreading steadily south-west, and with whom disputes as to boundaries were increasingly frequent. There were dangers in the West and South from the Dutch, who in particular resented the capture by the English of the fur-trade in the Connecticut valley and twice attempted to dislodge these intruders and rivals. Realization of these perils led to a counter-movement—a movement toward fusion and synthesis. The first step in this direction was taken by Connecticut, which of all the New England colonies was the most exposed to attack, and which during the Pequod war approached Massachusetts on the subject of confederation. The question was then discussed, but nothing was done. It was raised again in 1639 and again in 1642, in which latter year letters from Connecticut were read at the General Court in Boston “ certifying us that the Indians all over the country had combined to cut off all the English.” This time, owing in part to the critical condition of affairs in England, the matter was taken up in earnest, and the next year Massachusetts, New Plymouth,

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Connecticut, and New Haven (then, it will be remembered, a separate colony) entered into a federal bond under the title of the United Colonies of New England, otherwise the New England Confederation: Maine and Rhode Island being excluded, in the former case "because they ran a different course from us in their ministry and civil administration"; in the latter because of that colony's "tumultuous" and "schismatic" tendencies. The preamble to the contract recites that "we live encompassed with people of several nations and strange tongues," that "the savages have of late combined themselves against us," and that "the sad distractions" in England "prevent the hope of advice and protection" from the home country; for which reasons, it is declared, the contracting parties had resolved to enter into a "consociation" with a view to maintain "a firm and perpetual league of friendship and amity, for offence and defence, mutual advice and succor, upon all just occasions both for preserving and propagating the truth and liberties of the Gospel and for these our mutual safety and welfare." According to the terms of the bond, each colony was to retain its "peculiar jurisdiction" and full control over its internal affairs; but eight commissioners were to be chosen annually, two from each colony, who were to meet once a year at least, and "oftener if necessary," to "determine all affairs of war or peace . . . and all things of like nature which were the proper concomitants or consequents of such a confederation of amity, offence, and defence."

This attempt to secure the advantages which would accrue only from concerted action among the colonies on matters vitally affecting them all, while safeguarding the liberties of the individual units, marks a real step in self-government and nation-making, and it is specially interesting because it points forward to the great federation of a century and a half later. Its weakest point was that, so far as the principal partner was concerned, the agreement was obviously one-sided. The predominance of Massachusetts was, indeed, recognized by the fact that while the commissioners were to meet in each colony by rotation, two meetings in succes-

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sion were to be held at Boston. But this was a very small matter. With a population larger than that of the other three colonies combined, Massachusetts had only an equal vote with each of them; yet at the same time she undertook in case of war to raise a hundred men against every forty-five provided by each of the others, while, as the war expenses were to be levied in each colony on the total male population between sixteen and sixty, by far the largest share of the financial burdens of the union also fell upon her shoulders. In these circumstances it is not surprising that Massachusetts from time to time endeavoured to exercise larger powers than those actually conferred upon her by the agreement, and that disputes with her allies arose in consequence. But though more than once endangered, the union continued to exist for forty years, during which time it contributed greatly to the strength of all its members in their relations both with their foreign neighbours and with the home country.



NEW ENGLAND IN THE SEVENTEENTH CENTURY

CHAPTER IV

THE PLANTING OF THE MIDDLE COLONIES

HAVING now described the formation of the English colonies in the South and in New England, we have finally to trace the rise of the middle group, the establishment of which, by furnishing the necessary link, consolidated the English possessions in North America into a continuous territory extending from Spanish Florida to French Canada.

Early in the seventeenth century, after their long and heroic struggle with Spain, the Dutch came to the front as one of the world's great maritime and commercial nations. In the East they practically dispossessed Portugal; Java, Sumatra, Borneo, and Batavia fell into their hands; and later they gained a footing in South Africa. But this expansion brought them into collision with England. The two countries were bound by many ties of sympathy, and in particular they had been allied against Philip II in the great conflict of Protestantism with Roman Catholicism. But old memories and religious feelings were impotent before the new commercial rivalry. A bitter contest ensued between them, and one scene of this was North America.

THE DUTCH IN NORTH AMERICA

In 1609, while the colony of Virginia was in the first stages of its fight for mere existence, Henry Hudson, an English captain in the service of the Dutch East India Company, was sent out by his employers on the old quest for a waterway round or through the American continent to the Far East. In his vessel the *Halve-Maan* (*Half Moon*) he entered

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New York Bay, and sailed up the great river which we now know by his name, through the Palisades and the Catskills, and as far as the site of the present Albany, "little doubting that it would turn out to be the much-looked-for passage to China,"¹ till the narrowing of the channel convinced him of his mistake. On his return voyage he put into Dartmouth, and was detained there by the English, but he none the less contrived to transmit to Holland a favourable report of the land he had visited, and Dutch merchants at once began to dispatch ships thither and soon formed an association for the development of the local fur-trade.² At first no attempt was made toward a permanent settlement of the country, but in 1613 one of the traders, Andriaen Block, whose exploration of the Long Island Sound and Connecticut River formed the foundation of the Dutch claim against the English in that region, built some log huts on Manhattan Island, while about the same time a trading post, called Fort Nassau, was established just below Albany. The incorporation in 1615, under charter from the States-General, of the New Netherland Company, with a monopoly of trading rights for a term of three years, led to a great extension of commercial operations, but still to no regular colonization; indeed, when the English Government made formal complaints to the Dutch of the presence of settlers on the Hudson and the Delaware, the reply they received was that these were only fur-traders, and that "no plantation or settlement" existed "to impeach English rights." A fresh step was, however, taken in 1621, when the Dutch West India Company, on the model of the wealthy and powerful Dutch East India Company, was founded under a charter which not only granted enormous privileges in all the territories claimed by the Dutch in the Western Hemisphere, including what was now called Nieuw Nederlandt, or New Netherland, but also specifically

¹ Washington Irving, *History of New York*, Book II, chap. i.

² Hudson himself disappears at this point from our story. But it may be added that he passed forthwith into the service of the English, for whom he sailed in 1610 in search of a North-west Passage, and that in the following spring he was set adrift by his mutinous crew and lost among the ice-floes of what is now Hudson Bay.

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prescribed "the peopling of those fruitful and unsettled parts." Three years later, in accordance with this requirement, thirty families of Protestant Walloons were sent over, most of whom were placed at Fort Orange, on the site of the present Albany, while the rest were distributed on Long Island, Manhattan Island, and in the Connecticut valley. These settlements prospered; in 1626 they were all united under the control of a Director-General, Peter Minuit; Manhattan Island was bought from the Indians for sixty guilders' worth of goods (about twenty-four dollars of present money); warehouses were built on it; and most important of all, Fort Amsterdam was begun as a central depot. Though Governor Bradford still questioned the right of the Dutch to these possessions, friendly relations and reciprocity in trade were also established with the Plymouth people; letters were interchanged with them; and on one occasion the local secretary of the Dutch Company—De Rasieres—paid a formal visit to the English colony.

Already, however, the radical weakness of the Dutch system from the point of view of colonization was becoming apparent. The directors of the West India Company regarded their enterprise on the commercial side only; they had entered upon it simply for the acquisition of wealth; everything else was subordinate to that primary purpose, and nothing was done to minister to the internal needs of the new communities which were now growing up. Moreover, the business of the Company was conducted and managed entirely from Holland, and the settlers were allowed no voice in their own affairs. Under these conditions it is not surprising that though trade was good and profits large fresh settlers were not attracted in anything like the numbers desired. In course of time, however, the steady progress of the English colonies awoke the Dutch authorities to the need of encouraging emigration, and to that end, in a new charter of 1629, they introduced what is known as the Patroon system, under which to any member of the Company founding at his own expense a settlement of at least fifty persons an estate with a river frontage of sixteen miles "and so far into the

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country as the situation of the occupiers will permit " was granted "as a perpetual inheritance." The opportunity thus offered to become members of a new and powerful landed aristocracy—for such ample rights and privileges were assured that each patroon was vested with almost unlimited authority within his jurisdiction—proved very tempting to the wealthy Dutch merchants, and many great estates were eagerly taken up, and the best lands quickly pre-empted. But while in this way the settlement of the country was indeed secured, the new system was soon found to have numerous and serious disadvantages, and when the great patroons began to absorb all the trade in their respective neighbourhoods the Company became alarmed at the threatened destruction of its own interests, and many violent quarrels were the result. In the end the system had to be modified, and a more reasonable form of land tenure was introduced. But meanwhile other difficulties also beset the enterprise; there were disputes with the English in New England over the establishment of a Dutch trading post at Hartford in 1633, and with the Virginians on the Delaware and the Schuylkill; while the colony suffered severely from the incompetence of the directors-general or governors appointed by the Company to manage its business on the spot. One of these, Wouter van Twiller, who succeeded Peter Minuit in 1633, and owed his position to the influence of his connexion by marriage, the powerful patroon Killaen van Rensselaer, was a most unfortunate combination of weakness and bluster, and brought the colony to the verge of ruin.¹ He was in turn followed by William Kieft (1638), who during his nine stormy years of rule made enemies on every side and embroiled himself in serious conflicts with the Indians (1643-45). Then came Peter Stuyvesant (1647), a soldier, who had gained some experience of administration as governor of Curaçoa, and from whom great things were expected. He was, however, hot-tempered

¹ Van Twiller is immortalized as Walter the Doubter in Irving's 'Knickerbocker' *History of New York*. Irving's portrait of him has been pronounced an extravagant caricature, but though heightened into burlesque, it appears to preserve the main features of the original.

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and tyrannical, and like most men bred in the military school was obsessed by the notion that whatever might be the trouble force was the one and only remedy ; and though he began well enough with the vigorous reform of numerous crying abuses, he soon showed himself altogether unequal to the task of placing the colony on a firm and satisfactory basis.

There were elements of good in the Company's administration ; the directors insisted upon absolute honesty of dealing on the part of all their officials and subordinates, and their practical support of the great principle of freedom in religious belief must also be set down to their credit. But all their ideas of government were uncompromisingly autocratic ; laws and regulations emanated entirely from the central authority ; and the only means by which the colonists could express their views or ventilate their grievances were provided by the right of petition—a right which was indeed scarcely more than nominal, because in the circumstances it was extremely difficult and even dangerous to exercise it. Hence the steady growth of discontent among the New Netherlanders, especially in view of the fact that the political freedom enjoyed by their English neighbours provided a standing example of the liberty which was denied to themselves.

Out of this discontent arose a series of quarrels between the people of the colony and their governors.

The conflict may be said to have begun when Kieft, on account of his serious difficulties with the Indians, was forced to call the leading men together for consultation at Fort Amsterdam. At once they saw their chance to assert themselves, and proceeded to select twelve of their number to act as the governor's advisers. But Kieft had no intention of letting any of his power slip out of his hands, and as soon as possible dissolved the committee. The increasing perils of the Indian war, however, compelled him again to consult the people ; this time eight deputies were elected who for a brief period were in practical control of the government ; and a petition was addressed to the Company demanding the recall of Kieft

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and the right of choosing representatives to confer with the governor and his council. The recall of Kieft followed, but Stuyvesant, who, as we have seen, went out in his place, turned a deaf ear to all clamour for popular rights, and in his high-handed, soldier-like fashion threatened to hang any man who had the temerity to suggest an appeal from his decisions to the States-General at home. Even he was at length compelled to yield to the extent of consenting to the creation of a board of nine members elected by the townships. But this proved to be a mere shadow of popular government; the board was entrusted with advisory powers only; and as six of its members were to retire annually and their places were to be filled by Government appointees, it was evident that it would soon cease to be representative even in name, and would become a close corporation. Thus entrenched within his prerogatives, Stuyvesant continued his autocratic rule, until the nine men, under their president, Andriaen van der Donck,¹ revolted and determined to carry their case direct to the States-General. Stuyvesant replied by expelling van der Donck from the board, and, in the hope of crushing popular resistance, prohibiting all public meetings. But in this instance the situation had got beyond his control, and in 1649 a memorial was conveyed to Holland by van der Donck himself and two other members of the Nine, praying among other things that the States-General would take the colony over from the Company and establish a system of burgher self-government.² Even in face of these demands, however, the Company still clung tenaciously to its privileges, and it was not until 1652 that it at length gave way and a meagre

¹ Van der Donck had been an advocate in Holland before he went out to New Netherland in the employ of the great patroon van Rensselaer, with whom, however, he soon quarrelled. He had married the daughter of Francis Doughty, a Presbyterian clergyman, who had been driven from New Plymouth on account of his heretical views on the subject of infant baptism.

² This was accompanied by another document, prepared by van der Donck, setting forth at length "the reasons and causes which have brought New Netherland into the ruinous condition in which it is now found to be"; among which "reasons and causes" the first place is given to "bad government, with its attendants and consequences." See extracts from this in *American History told by Contemporaries*, ed. Hart, vol. i, pp. 532-537.

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form of local government was introduced. Stuyvesant, who, owing to growing difficulties with the English, was allowed to retain his position, even now endeavoured to thwart the purposes of the popular party by appointing all the members of the new Government himself. This led to further trouble, and in December 1653, in the teeth of his prohibitions, a convention was held at New Amsterdam and a memorial against him drawn up and sent to Holland. But Stuyvesant arrested the leaders of the movement, prominent among whom was an Englishman named George Baxter, and threw them into prison; and for the moment it seemed that the governor's power was more firmly secured than ever.

THE ENGLISH CONQUEST OF NEW YORK

Meanwhile, the political situation within the colony was complicated by external dangers, for the troubles with England, which thus far had been confined to local disputes about boundaries and trade in Connecticut, in Long Island, and on the Schuylkill, were now assuming more serious proportions. In 1652 England and Holland were already at war; and in 1654 Cromwell sent out a fleet of four vessels with instructions to secure the help of the New England colonies for the capture of the Dutch settlements in America. But peace between the two countries postponed the peril for a decade, and during this period of respite the struggle was renewed between Stuyvesant and the popular party—on the whole, in his favour.

By this time, however, the rule of the Dutch in America was drawing toward its close. In 1662, under a fresh charter obtained from Charles II by Winthrop, large portions of the New Netherland territory were included within the boundaries of Connecticut and Long Island, and thus placed under English jurisdiction; while in 1664, reviving the English claim based on priority of discovery, the same King granted the whole of New Netherland to his brother, the Duke of York. The English in Long Island, under the leadership of an adventurer named John Scott, thereupon seized the Dutch

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towns in that region and threatened New Amsterdam itself. The danger was warded off for the moment. But in August of that year a British squadron appeared before New Amsterdam and summoned the town to surrender. Stuyvesant himself, who with all his faults had plenty of courage, was prepared to offer resistance to the bitter end; "I would rather be carried to my grave," was his curt reply to the English demand. But the citizens were panic-stricken, the soldiers mutinied, and nothing was left for him but to allow the white flag to be run up on the fort; and on September 8 the English were in possession.

The names of the principal towns were at once changed; New Amsterdam, for example, became New York; Fort Orange Albany, from the Duke's Scotch title. But otherwise there was little interruption in the life of the colony. Even the administration was altered in appearance rather than in fact.

This, however, was not quite the end of the Dutch in America. A few years later England and Holland were again at war, and in 1673 New York was recaptured by a Dutch fleet. But though the colony went back gladly to its old allegiance, the restored Dutch rule lasted for fifteen months only. In October 1674, under the Treaty of Westminster, by which the war was closed, the province was re-ceded to the English.

THE PLANTING OF DELAWARE

On his voyage of discovery undertaken for the Dutch East India Company Hudson had visited the Delaware before exploring the river which bears his name. Their title to the region thus established, the Dutch in 1623 sent out a small party of Walloons, who began the work of colonization by founding a trading post, Fort Nassau, near the site of the present Gloucester, N.J., while eight years later one of the great patroons, De Vries, planted an estate near Lewes, Del., which he called Zwanendael, or the Vale of Swans. Some fighting between the English and the Dutch followed these first attempts at Dutch settlement in this direction, and there

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was also much friction with the Indians.¹ Then the difficulties of the situation were increased by the appearance of a third European Power upon the scene.

Sweden too was now seized with the colonizing fever, and under Gustavus Adolphus, and with the assistance of William Usselinx (or Ussling) and several other Dutch merchants who had quarrelled with their own corporation, a commercial company on the Dutch model was formed in 1626 for the colonization of the Delaware region, and emigrants were invited "from all the nations of the world." It does not appear that the Swedes had the faintest shadow of title to this territory,² but this fact was not allowed to interfere with their ambitions. Gustavus himself fell at Lützen in 1632 before any definite steps had been taken ; but his plans were adopted by his great minister, Axel Oxensterna, now regent ; and in 1638 Peter Minuit (formerly, as we remember, director of the Dutch Company in New Amsterdam) took out a party of settlers, Swedes and Finns, and built a fort on the Delaware, near the site of the present Wilmington, which they called Fort Christina in honour of the child-queen. Governor Kieft of New Netherland protested against this intrusion, but took no active measures to stop it ; other immigrants continued to arrive ; the enterprise was well managed by Minuit and his successor, Peter Hollandaere ; and as the colonists were industrious and contented and their trade brisk, a prosperous future for New Sweden seemed to be assured. Unfortunately, however, the aggressive policy of Johann Printz, who followed Hollandaere in 1643, and who, though a man of intellect and vigour, was hot-headed and pugnacious, led to quarrels with the neighbouring English and Dutch. The English were driven from the Delaware, and for a time the

¹ The tragic fate of this estate may be mentioned as showing the dangers which the settlers incurred by arousing the hostility of the Indians. De Vries erected on his property a column bearing the Dutch arms on a metal plate. An Indian stole this plate ; the thief was captured and put to death ; whereupon in revenge his tribesmen massacred the settlers and burned their houses to the ground.

² It has been alleged that Charles I had surrendered to them all the English rights on the Delaware, but there is no proof of this.

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Swedes held their own against the Dutch. But the arrival at New Amsterdam of Stuyvesant put a fresh complexion on affairs, for the new governor at once assumed the offensive, and by the construction of Fort Casimir, near the present Newcastle, Del., and below Fort Christina, cut the Swedish communication with the sea. Printz, whose violence and harshness had made him unpopular with his own people, was then recalled (1653), and his place taken by his son-in-law, Johann Pappegoia. The next year a Swedish man-of-war commanded by Johann Rysingh expelled the Dutch from Fort Casimir, which, in commemoration of the day—Trinity Sunday—they renamed Trefalldighed, or Trinity. Rysingh then assumed authority and vigorously set about the extension and consolidation of the Swedish settlements. But in 1655 Stuyvesant, with an army of 600 or 700 men, recaptured Fort Casimir, took Fort Christina, and compelled Rysingh to surrender. The Dutch were now masters of all the disputed territory, and New Sweden came to an end.

This brought the English once more into the field, and in the year following Lord Baltimore notified the Dutch conquerors that their recently acquired possessions really belonged to Maryland. But he did nothing to enforce his claim, and some time after the greater part of the Delaware country was sold by the Dutch West India Company to the city of New Amsterdam (1656). Dutch rule, however, ceased of course with the overthrow of New Netherland. In 1682, under conditions which will be described presently, Delaware was annexed to the new province of Pennsylvania. But in 1703 it became a separate colony, with an assembly of its own, though it still remained under the same governorship as Pennsylvania.

THE PLANTING OF NEW JERSEY

Early in the seventeenth century a number of small Dutch settlements had been established on the west side of the Hudson River in what is now Bergen County in the state of New Jersey, and these were still in existence when in 1664 the Duke of York received his grant of New Netherland. After

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the characteristic fashion of the Stuarts, the Duke in turn presented to two of his favourites, Lord John Berkeley and Sir George Carteret, the whole of the territory lying between the Hudson and the Delaware, and this forthwith became known as the province of Nova Caesarea or New Jersey.¹ This grant conveyed full proprietary rights, and by an instrument known as the "Concessions" a system of government was designed, of a fairly liberal character, under which the administration of affairs was entrusted jointly to a governor and council to be appointed by the proprietors and a representative assembly on the model of the earlier colonies: the proprietors, however, reserving to themselves the right of veto on all laws that might be enacted. Religious toleration was also promised, and generous terms offered for the taking up of land. Philip Carteret, nephew of Sir George, was thereupon sent out as governor (1665), and with him came a considerable body of emigrants, who founded the town of Elizabeth, so named in honour of Lady Carteret, as the seat of the Government. The newcomers met with some opposition from Governor Nicolls of New York, who was, however, obliged to yield. Agents were then dispatched through New England to advertise the colony, and many recruits arrived, especially Quakers and other sectaries who were suffering from Puritan persecution. At the same time immigration from England continued; towns soon sprang up at Woodbridge, Newark, and Middleton; and a little later—in 1668—the first assembly met at Elizabeth, and the business of government was harmoniously inaugurated. The beginnings of the new colony were thus full of promise. But in a second session later in the same year a quarrel broke out between the assembly and the council owing to the latter's claim to meet and deliberate as a separate chamber, while a more serious dispute, which agitated the entire community, arose between the assembly and the proprietors over the question of quit-rents. Seven years passed before the assembly was again convened.

¹ The name was given out of compliment to Carteret, who as governor had held the island of Jersey for the royal cause during the rebellion. Caesarea was the name of that island in Roman days.



PETER STUYVESANT

From an engraving after the painting by Vandyck



WILLIAM PENN

From an old painting

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In the meantime Berkeley, dissatisfied with the outlook, had sold his rights and title in the province to two English Quakers, John Fenwick and Edward Byllinge, who were anxious to establish a refuge in America for the people of their own sect. At the moment the transaction was void, because the Dutch were again in possession of New Netherland, but it took effect on the restoration of English rule the following year. Almost immediately, however, Fenwick and Byllinge fell out over their respective claims, and their dispute was referred for arbitration to a leading Quaker, William Penn. It would be useless here to enter into the details of the extremely complicated financial questions involved in this discussion. It is enough to say that the whole property was taken over by Penn and a company of associates (1674-76), and that an agreement, confirmed by a new charter, was made with Carteret (1676), under which the province was divided by "an imaginary line crosse the Country (but visible on there Map)," ¹ into two unequal parts, called respectively East New Jersey and West New Jersey: Carteret taking the former, and Penn and his associates the latter.

In West New Jersey the Quakers at once set up a very democratic form of government; a popular representative assembly was instituted with power to make laws from which the governor was not to withhold his assent, to appoint officers, to levy taxes, and even to elect the executive council of ten to which the administration of affairs was entrusted. Complete religious toleration was also assured. Meanwhile, only four years after the division had been made, Carteret died, leaving East New Jersey in trust for the payment of his debts, and in 1682 his trustees sold his property in the province to Penn and a number of partners, mostly belonging to the Society of Friends, who were afterward known as the Twenty-four Proprietors. These established a system of government similar to that of West New Jersey, except that, instead of being elective, the executive council was composed of the

¹ "Opinion on the conflicting Land Grants in New Jersey," by Sir John Werden, Attorney-General, in *American History told by Contemporaries*, ed. Hart, vol. i, p. 568.

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proprietors or their deputies. Both colonies increased steadily in population and wealth, though for several years they had serious difficulties with Sir Edmund Andros, then governor of New York, who maintained that the whole country was still the property of the Duke of York and therefore under his own jurisdiction. The Duke's claims were for the moment overruled by English arbitration, but on his accession to the throne as James II the two provinces were compelled to surrender their patents to the Crown. They were then included in the general scheme for the amalgamation of all the Northern colonies under Andros' governorship.¹ After this both East and West New Jersey went through numerous vicissitudes during a period of dissension and upheaval. Finally, in 1702, they were united as a royal province, with a local government, on the plan adopted for the royal provinces in general, composed of a governor and council appointed by the Crown and an assembly elected by the people.

THE PLANTING OF PENNSYLVANIA

"The first settlers in these parts were the Dutch, and soon after them the Swedes and Finns. The Dutch applied themselves to traffic, the Swedes and Finns to husbandry. There were some disputes between them for some years, the Dutch looking upon them as intruders upon their purchase and possession, which was finally ended in the surrender of John Rizeing [Rysingh], the Swedish governor, to Peter Stuyvesant, governor for the States of Holland, anno 1655." Such is the succinct account which Penn himself gives² of the early European attempts to settle the region which was to be the scene of his own great experiment in colonization.

William Penn was the eldest child of Admiral Sir William Penn, who gained much renown in the Dutch wars, and was born in London in 1644. In his fifteenth year he was sent to Christ Church, Oxford, where he fell under the influence of a disciple of George Fox, Thomas Loe, and became a convert to

¹ See *post*, p. 124.

² Letter of 1683 in S. M. Janney's *Life of Penn*, p. 246, and R. Proud's *History of Pennsylvania*, vol. i, p. 260.

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Quakerism. The zeal with which he expressed his new views led to his expulsion from the university and to a violent quarrel with his father, who, "having used both the force of persuasion upon his mind, and the severity of stripes upon his body, without success,"¹ turned him out of doors. Presently relenting, the Admiral sent his refractory son to the Continent, hoping that the distractions of foreign travel and the gaieties of Paris might cure him of his follies. Young Penn mingled with the best society of the French capital, was presented to Louis XIV, frequented the Court, and even had an affair of honour, in which he disarmed his antagonist; but though he acquired "a perfectly accomplished, polite and courtly behaviour" and returned "a complete young gentleman," who, with rapier at side and long hair parted in the middle and falling in wavy locks upon his shoulders, had little about him to suggest the Quaker, his opinions remained unchanged.² His father next dispatched him to Ireland to look after his estates there, and on this occasion, young as he was, he gave ample proof of that remarkable business ability which was also associated with his mysticism. But the preaching of his old college acquaintance, Thomas Loe, revived his spiritual ardour, and his attendance at a Quakers' meeting in Cork led to a short term of imprisonment and to a second rupture with the Admiral. Two years later he was committed to the Tower for the publication of a heterodox treatise, *The Sandy Foundations Shaken*, and during his confinement wrote the most famous of his books, *No Cross, No Crown*. In the end he was liberated through the personal intervention of his father's friend the Duke of York, but was presently again imprisoned for preaching and refusing to take the oath of allegiance. In the meantime, in September 1670, his father, with whom at the last he was completely reconciled, had died, leaving him an estate worth £1500 a year and a claim upon the Government for moneys advanced and arrears of pay amounting to something like £16,000. After this he visited Holland and Germany, and in 1672 married. His wealth and position had already made him prominent among the Quakers,

¹ Proud, *op. cit.*, vol. i, p. 23.

² *Ibid.*

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and, as we have seen, he was called in to arbitrate in the dispute between Fenwick and Byllinge over their claims in New Jersey. He had long cherished Utopian theories in politics, and his interest in colonization being thus aroused, he resolved to turn them into practical shape by founding a colony of his own, primarily as an asylum for his persecuted co-religionists, but also as a great experiment in government on purely democratic lines. He knew very well that his financial claim against the Government was never likely to be discharged by the embarrassed and avaricious King, and he therefore proposed to the King's council that in lieu thereof he should receive the grant of a large tract of land in America. Owing to the strength of religious and political antagonism and the stubborn resistance of the Baltimore interests in Maryland, his petition was at first resolutely opposed in the Council, but finally, in 1681, he obtained a deed of grant of 40,000 square miles of territory "bounded on the east by Delaware River, from twelve miles distant north-west of New Castle towne, unto the three and fortieth degree of northern latitude."¹ This grant conveyed full proprietary rights to make laws, appoint judges, build ports, assess customs, and erect manors. The territory was to be held "in free and common socage," the grantee "yielding and paying therefor . . . two beaver skins, to be delivered at our Castle of Windsor, on the first day of January in every year; and also the fifth part of all the gold and silver oar [ore], which shall, from time to time, happen to be found within the limits aforesaid." Down even to the curious and antiquated provision for tribute, these terms resemble those in the Baltimore patent for Maryland, and, as in that case, the charter practically constituted a palatinate. But there was one important point of difference between the two grants, for in that of Penn a proviso was introduced establishing the right of appeal from the local courts to the Privy Council, while the right of veto on colonial legislation was specifically reserved by the Crown. As we shall see in more detail in our next chapter, these fresh conditions indicate that, taught by experience, the home

¹ See charter in Proud, *op. cit.*, vol. i, pp. 171-187.

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Government was determined henceforth to strengthen its hold upon the colonies.

Penn himself desired his province to be called simply Sylvania, 'the wooded country,' but despite his protest—fearing "lest it be looked on as vanity in me"—the King insisted that it should bear the name of Pennsylvania in honour of the Admiral. Perhaps it is worth while to note that, while several of the other American colonies have the somewhat dubious distinction of perpetuating the names of royalties, this is the only one which preserves that of its founder.

Penn then issued an address advertising his colony and offering generous terms for the taking up of land; 100 acres were to be obtained for forty shillings, subject only to a small perpetual quit-rent of one shilling per annum; and even servants were permitted to hold fifty acres. With the help of his friend Sir Algernon Sidney he also prepared, under the title of the *Frame of the Government of the Province of Pennsylvania*, the rough draft of a constitution. In the preface to this most interesting document he sets forth his general theories of government. "Any government," he declares, "is free to the people under it (whatever be the form) when the laws rule, and the people are a party to these laws; and more than this is tyranny, oligarchy, or confusion." As for the relation of the Government to the governed, it must always be remembered that "governments rather depend upon men, than men upon governments. Let men be good, and the government cannot be bad; if it be ill, they will cure it. But if men be bad, let government be never so good, they will endeavour to warp and spoil it in their turn." Hence the great end of government is "to support power in reverence with the people, and to secure the people against the abuse of power."

These views are certainly remarkable for their political insight and sound common sense. The system outlined in the body of the constitution, to which such generalizations serve as a preamble, was itself essentially popular. The proprietor was, indeed, in the first instance, to make all necessary laws,

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but to these he was in due course to obtain the assent of all the free men of the colony. Both the executive council of seventy-two, of which the proprietor or his deputy was to be president, and the legislative assembly of two hundred, were to be elective; ¹ suffrage was to be universal, except that bound servants and convicts could not vote; and perfect liberty of conscience was guaranteed to all who acknowledged "the one Almighty and Eternal God." The scheme of laws appended to the constitution is scarcely less interesting than the constitution itself; murder and treason were the only capital crimes; and in all other cases punishment was regulated on the principle that its true object was the reformation of the wrongdoer. The extraordinary humanity and enlightenment shown in such provisions becomes apparent when we remember that at that time in Massachusetts there were statutes punishing heresy with death, and that in England the death penalty was imposed for upward of two hundred offences. We do not wonder that Penn's legislative labours were praised by Montesquieu or that they aroused the admiration of Voltaire, who for a time had serious thoughts of emigrating to Pennsylvania.

Special interest also attaches to Penn's dealings with the aborigines, which rank among his greatest achievements, whether they are regarded from the point of view of statesmanship or from that of simple humanity. From the outset he took the Indians under the protection of the laws; any injury done to one of their number was to incur the same penalty as if it had been done to a white man. From the outset, too, he sought to gain their allegiance by offers of friendship rather than to overawe them by the show of force. To this end in 1681 he sent out from London a letter addressed in general to the Indians of his own province, in which, after speaking of the "great God and power, that hath made the world and all things therein," he proceeded:

"Now this great God hath been pleased to make me

¹ It was soon realized in practice that these numbers were far too large, and by the revised charter of 1683 the council was reduced to eighteen and the assembly to thirty-six.

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concerned in your part of the world ; and the king of the country, where I live, hath given me a great province therein ; but I desire to enjoy it with your love and consent ; that we may always live together as neighbours and friends. . . . Now I would have you well observe, that I am very sensible of the unkindness and injustice, that have been too often excercised towards you, by the people of these parts of the world ; who have sought themselves, and to make great advantage of you, rather than to be examples of goodness and patience unto you ; which I hear hath been a matter of trouble to you, and caused great grudgings and animosities, sometimes to the shedding of blood ; which hath made the great God angry. But I am not such a man ; as is well known in my own country. I have great love and regard towards you ; and desire to win your love and friendship, by a kind, just and peaceable life ; and the people I send are of the same mind, and shall, in all things, behave themselves accordingly ; and if in anything, any shall offend you, or your people, you shall have a speedy satisfaction for the same, by an equal number of just men on both sides ; that by no means you may have just occasion of being offended against them.”¹

According to the familiar story, Penn met the Indian chiefs under a great elm-tree at Shackamaxon (now Kensington), and there entered into a formal treaty with them. The treaty was in fact made before his arrival in the colony by his deputy, Markham, acting on his behalf, but it was afterward ratified by Penn himself in a personal conference. No oaths were exchanged, no bond was sealed, but, as Voltaire said, this is the only treaty the world has ever seen which was never sworn to and never broken. Of the noble spirit of Penn's policy it is unnecessary to speak. Its wisdom was attested by its results. For many years his colony was saved from the sanguinary border feuds in which all the other colonies were continually involved, and though later, in the French and Indian wars of the eighteenth century, Pennsylvania too had its share of trouble, not one

¹ For this letter in full see Proud, *op. cit.*, vol. i, pp. 195-196.

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drop of Quaker blood was ever deliberately shed by an Indian.¹

Penn's programme aroused great interest among the Quakers, large numbers of whom hastened to take advantage of the opportunities which it afforded; among them some influential merchants of Bristol who formed a company called the Free Society of Traders in Pennsylvania, and purchased 20,000 acres. Settlers also flocked from the Continent, including many Germans, some of whom belonged to the Reformed, some to the Lutheran Church, while others again were adherents of the numerous strange sects—Pietists, Mennonites, Dunkers, Schenkfelders, and the like—which sprang up like mushrooms in the heated theological atmosphere of the time. These established themselves in the main in Germantown, now a suburb of Philadelphia, where they created a little Germany and became the nucleus of that large Teutonic element in the population of the colony which is known as the Pennsylvania Dutch. Penn himself arrived on the scene in 1682 with a company of about a hundred settlers, mostly Quakers, who had suffered terribly from the ravages of smallpox on the outward voyage. He was warmly welcomed by the Dutch and Swedes who were already established within the bounds of his grant, and whom he at once naturalized, bestowing upon them all the rights and privileges of his other subjects. Before leaving England he had realized that one important point had been overlooked by him: his charter gave him no outlet to the sea. He had therefore used his influence at Court for the acquisition of a fresh grant from the Duke of York of what had once been New Sweden, and Delaware thus became a portion of his property under the title of "the Territories," or "Lower Counties," or "the Delaware Hundreds of the Province of Pennsylvania." On his arrival he received this new territory from the Duke's agents on the spot in a quaint ceremony which, as described

¹ Bancroft, *History of the United States*, vol. iii, p. 383. *Cp.* the remark of Richard Townsend, writing about 1717: "As in other countries, the Indians were exasperated by hard treatment, which hath been the foundation of much bloodshed, so the contrary treatment here hath produced their love and affection" (quoted by Proud, *op. cit.*, vol. i, p. 229).

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by one of these, carries us far back into ancient feudal times :

“ We did give unto him, the said William Penn, Esq., actual and peaceable possession of the fort at New Castle, by giving him the key thereof, to lock upon himself alone the door, which being opened again by him, we did deliver also unto him one turf with a twig upon it, a porringer with river water and soil, in part of all what was specified in the said indenture or deed from his royal highness.”

Preliminaries settled, Penn proceeded to choose a site for his capital city on a well-wooded “ neck of land . . . between two navigable rivers, Delaware and Sculkill, whereby it hath two fronts upon the water.”¹ He named it Philadelphia, or the City of Brotherly Love, after one of the Seven Churches of Asia, and laid it out with the utmost care, determined that it should have no narrow streets or slums, like the cities of the Old World, but should be “ a greene countrey towne,” with broad thoroughfares and open spaces and gardens. According to the original plan, there were to be nine streets, exactly parallel to each other, running east and west from river to river, and intersected at right angles by twenty-three streets running north and south. None of these streets was to be less than fifty nor more than a hundred feet broad ; and those running east and west, except one which was called High Street, he, by a happy thought, named after trees native to the region : Vine, Sassafras, Mulberry, Chestnut, Walnut, Spruce, Pine, and Cedar.²

The first years of the colony were a period of great activity. The building of Philadelphia went on apace ; within twelve months it had “ advanced to about four score houses and cottages, such as they are, where merchants and handicrafts

¹ Letter of August 1683, in Janney, *op. cit.*, p. 246.

² “ In that delightful land which is washed by the Delaware’s waters,
Guarding in sylvan shades the name of Penn the apostle,
Stands on the banks of its beautiful stream the city he founded.
There all the air is balm, and the peach is the emblem of beauty,
And the streets still re-echo the names of the trees of the forest.”

LONGFELLOW, *Evangeline*, Part II, v.

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are following their vocation as fast as they can";¹ new colonists arrived in large numbers—in 1682–83 no fewer than twenty-three ships carrying not only settlers, but also horses, cattle, sheep, and swine; the country was rapidly peopled, the first assembly held, and the machinery of government set in operation. Thus Penn had every reason to be satisfied. Writing to Lord Halifax he declared with pardonable pride: "I have led the greatest colony into America that ever any did upon private credit, and the most prosperous beginnings that ever were made in it are to be found among us."

Unfortunately, however, his presence was now required in England, owing to the dispute with Lord Baltimore (a serious matter for him, for if Baltimore made good his claim Philadelphia would pass over into Maryland) and to the machinations of his enemies, who were busy spreading reports to his discredit—among others, that he was a Jesuit in disguise, and a Quaker, if at all, only to suit his own private ends.²

¹ Letter of 1683, in Proud, *op. cit.*, vol. i, p. 263.

² It may be proper here to refer to the ferocious attack made upon Penn by Macaulay, who employed all his rare powers as a special pleader to prove that he allowed himself to be used as a tool by James II and that he was guilty of complicity in some of the disgraceful incidents which followed Monmouth's rebellion. It would, however, be out of place to enter into the details of the controversy, and I shall therefore content myself by saying that Macaulay has been convicted of serious inaccuracies, and that his characteristically sweeping accusations have been entirely refuted. (See, e.g., J. Paget, *Inquiry into the Evidence for the Charges brought by Lord Macaulay against William Penn*, and Dixon, *Life of Penn: Supplementary Chapter*.) The intimate relations which existed between Penn and James II, and Penn's influence over that unworthy prince, are certainly remarkable. But they may be explained by James's close personal friendship with Admiral Penn. When one of Penn's 'particular friends,' Sir William Popple, wrote to him that the source of the suspicion with which he was regarded in many quarters was "the ordinary access you have to the King, the credit you are supposed to have with him, and the deep jealousy that some people have conceived of his intentions in reference to religion" (Proud, *op. cit.*, vol. i, p. 316), Penn replied that his own "access" to the King was due to "my father's humble request to him, upon his death bed, to protect me from the inconveniences and troubles, my persuasion might expose me to, and his friendly promise to do it, and exact performance of it, from the moment I addressed myself to him" (Proud, *op. cit.*, vol. i, p. 324). The relations of the King and the Quaker in fact redound to the credit of the former rather than to the discredit of the latter.

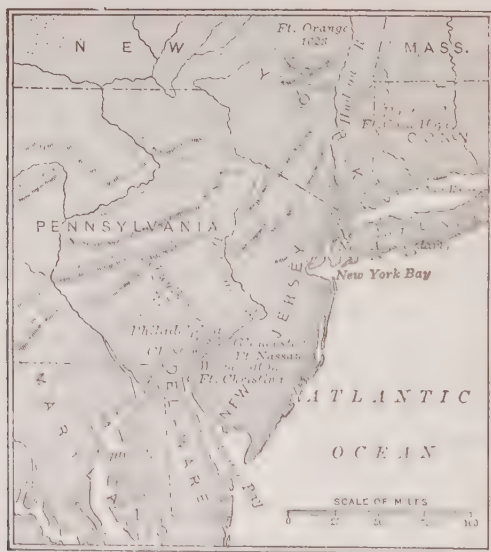
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The boundary dispute with Lord Baltimore was temporarily decided by the King in Penn's favour,¹ but many other matters detained him in England, and fifteen years elapsed before he was able again to visit his American possessions. In that critical period his colony had got out of hand. The underlying weakness of his scheme of government lay in the fact that it was an unstable combination of the proprietary and the popular, the feudal and the democratic. This weakness now became apparent in the friction which inevitably arose between the two elements. Discontent over the subject of the quit-rents, agitation of numerous factions against the proprietor's reserved prerogatives, dissensions between the province and the Territories of Delaware, and, added to these, violent quarrels between the Quakers, the Episcopalians, the Dissenters, and the Roman Catholics, kept the colony in a turmoil. Meanwhile Penn himself was overwhelmed by an accumulation of disasters ; his whole available private capital had been sunk in his enterprise, and now his Irish estates were ruined by war and his English property by the chicaneries of his steward, Ford. Then came the Revolution, which completed the tale of his misfortunes. As a friend of the deposed King he fell under the suspicion of the new *régime* ; he was thrice accused of treason ; his province was taken from him and transferred to the governor of New York. Honourably acquitted of all the charges brought against him, however, he was in August 1694 restored to his possessions. But even then five years passed before he was able to return to America. He then did so with the intention of making Pennsylvania his permanent home. But his sojourn there was in fact very brief. During his three years of residence he did his utmost to reconcile the contending factions, and succeeded in introducing a number of useful measures, especially for the amelioration of the condition of the Indians and the negroes. But he failed to overcome the antagonism of the assembly, and in 1701, having conceded

¹ There was another attempt at settlement in 1732. But the controversy was not definitely closed till 1767, when the boundaries of the two provinces were finally fixed by what is known as Mason and Dixon's line.

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many of its demands, he left Pennsylvania, as it proved for good. Two years later he sought to pacify the Territories by making Delaware into a separate colony ; but neither in these nor in the province itself was there any cessation of dissension or of the clamour of the malcontents against the proprietor and his rule. Financial ruin meanwhile overtook Penn at home ; in 1708 he was thrown into the Fleet Prison ; and though he was presently released, his constitution was now broken and his mind weakened by disappointment and the long-continued strain. After his death in 1718 there was a protracted lawsuit over his property, and ultimately his colony passed to his children by his second wife. From that time on for many years its internal history was far from peaceful. Yet notwithstanding such adverse conditions it continued to make such satisfactory progress that, though the latest in foundation of all the colonies except Georgia, at the time of the Revolution it ranked third after Virginia and Massachusetts in population, wealth, and power.



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CHAPTER V

COLONIAL HISTORY TO THE EVE OF THE REVOLUTION

IT would not be possible for us here, and even if it were possible it would not be necessary, to follow in detail the history of the thirteen separate colonies from the time of their establishment, one by one, to the rise of the movement which was to culminate in the War of Independence and the formation of the Union. For the purposes of our present narrative a sketch in broad outlines of the general course of colonial development will suffice. We may conveniently consider first the relations of the English in America with the Indian aborigines and with their principal European neighbours, the French.

THE COLONIES AND THE INDIANS

The territorial expansion of the colonies inevitably led to many conflicts—sometimes mere local frays, sometimes long and bloody wars—with the native tribes, who not unnaturally were apt to regard the white man as an intruder, and whose hostility was frequently aroused by the unjust treatment which they received at his hands. To several of the more important of these collisions, such as the Indian rising in Virginia in 1622 and the Pequod war of 1638, which, as we have seen, almost proved fatal to Connecticut, reference has already been made. On all the more exposed frontiers, indeed, raids, counter-raids, skirmishes, and bloodshed were of continual occurrence. These were especially frequent in Pennsylvania, New York, and the South. But it was New England which was the scene of the most terrible and disastrous of all these Indian wars. Most of the conflicts in

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question had a local and temporary significance only. King Philip's War, as it is called, forms an important chapter in colonial history.

The New Englanders were, on the whole, more just in their dealings with the native tribes than any of the other colonies except Pennsylvania and, later, Georgia. The idea of Christianizing the heathen had, indeed, as the original Massachusetts charter shows, been from the outset prominent in the minds of the Puritans, and missionary enterprise was carried on with great zeal, first by Thomas Mayhew and after by the famous 'Apostle to the Indians,' John Eliot.¹ Politically too the relations of the early New England colonists with some of the natives were eminently satisfactory. A formal alliance had been made between the Plymouth colony and Massasoit, chief of the Pokanokets, according to the terms of which each contracting party was to support the other if unjustly attacked,² and so close was the friendship thus secured that when in 1623 Massasoit was seriously ill Edward Winslow visited him and saved his life, and Massasoit in gratitude revealed to him certain evil designs which some of the neighbouring tribes entertained against the English. This alliance was of great value to the settlers in view of the unremitting hostility of the powerful Narragansetts. Unfortunately, though faithfully and honourably kept on both sides during Massasoit's lifetime, it was rudely broken after his death in 1660. Of his two sons, Alexander and Philip, both of whom had been christened at Plymouth, the elder was suspected of plotting with the Narragansetts against the whites, and while the charge against him was pending he died of a fever in Plymouth in 1662. Philip, believing that his brother had been poisoned, thereupon became the

¹ Eliot was a Cambridge graduate, who became a clergyman and for religious reasons emigrated to Boston in 1631. There he devoted himself to the study of the Indian tongues, having mastered which he began his missionary labours in earnest in 1646. Three years later a society was founded in London "for the promoting and propagating of the Gospel of Jesus Christ in New England," and the organized efforts of this were so successful that in 1674 the number of native converts—'praying Indians,' as they were called—was estimated at 4000.

² Winslow, *op. cit.*, p. 193.

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implacable enemy of the colonists, and was henceforth a perpetual menace to their peace. Though often threatened, however, no general rising occurred till the summer of 1675, when an attack by a party of young Indian braves on the little outlying town of Swanzey¹ inaugurated a war which rapidly spread over nearly the whole of New England. As the Pokanokets had now been joined by other tribes, including the Narragansetts, the coalition against the colonists was very formidable. During many months of desperate fighting, especially upon the various frontiers, where settlements were destroyed and towns ravaged, the issue remained in the balance. But gradually the colonists got the upper hand, and at length Philip was driven back into the marshes near Mount Hope and there killed on August 12, 1676. This war definitely assured the supremacy of the white man in New England. But it was not without serious results to the victors themselves, for much of their property had been ruined, they had lost 10 per cent. of their fighting men, and they were left with a heavy burden of war debts which sadly crippled their resources. Thus they emerged from the conflict triumphant indeed, but weakened in many ways: a fact which, as we shall see presently, had indirect bearings upon their future history.

In many of their risings against the English the Indians were incited by the French,² to whose activities in North America we have next to turn. One point of signal importance in the struggle of the English and the French for the possession of the continent may, however, fittingly be noted in advance. By his injudicious interference in their internal affairs the

¹ An Indian reformer had been murdered by some of his fellow-tribesmen, who had been hanged for their crime. The immediate purpose of the attack on Swanzey was to avenge their death.

² Such, for example, was the complaint of John Wentworth, lieutenant-governor of New Hampshire, in 1730: "The effect which the French settlements have on this province is, that the Indians are frequently instigated and influenced by them to disturb the peace and quiet of this province, we having been often put to a vast expense both of blood and treasure to defend ourselves against their cruel outrages." ("Answers to the Queries sent by the Right Honourable the Lords of Trade and Plantations," in *American History told by Contemporaries*, ed. Hart, vol. ii, p. 57.)

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great French leader Champlain aroused the undying enmity of the League of the Iroquois, the most powerful of the native federations, and the consequence of this was that for more than a century the Iroquois acted as a kind of buffer state between the English colonists and their French rivals. The far-reaching significance of this condition of things has been emphasized by a recent historian: had the Iroquois been induced at any time to make common cause with the French against the English "it is by no means impossible that the French might have become the dominant power in North America."¹

THE COLONIES AND THE FRENCH

We have already sketched the colonizing enterprises of the French in America down to about the close of the sixteenth century. Interrupted by the Wars of Religion, these, after the restoration of peace, were renewed by Henry IV, whose ambition to found a colonial empire directed attention once more to Canada. In 1598—the year of the Edict of Nantes—the Marquis de La Roche took a company of forty convicts, released from prison for the purpose, to the isle of Sable, off Nova Scotia, but this unpromising experiment, as might have been predicted, ended in disaster. But five years later a firm footing was secured in the same region by the Calvinist Pierre du Guast, Sieur de Monts, who was appointed by the King lieutenant-general of Acadia (defined as "extending from the 40th to the 46th degree" of latitude, or, roughly, from Philadelphia to Halifax), and established (1604) a settlement on the isle of St Croix, at the mouth of the St Croix River, later transferred to Port Royal, now Annapolis. About the same time Samuel de Champlain explored the coast as far as Plymouth harbour, founded Quebec (1608), discovered the lake which bears his name and Lake Huron, and, though greatly harassed by the Iroquois, succeeded in developing a flourishing fur-trade with other Indian tribes. None the less the progress of the French was so unsatisfactory that in 1627 Richelieu dissolved the original commercial company and organized a new one with himself at the head.

¹ Channing, *Student's History of the United States*, p. 96.

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Meanwhile the English refused to recognize French claims in a territory which they regarded as their own by prescriptive right, and Samuel Argall, sailing from Virginia, twice burned their settlements on the coast. Moreover, in 1621 James I set all such claims at naught by granting to Sir William Alexander the whole country comprising the present provinces of Nova Scotia and New Brunswick. In the conflict which ensued Champlain and his small garrison at Quebec were forced to surrender (1629), but all the French possessions were restored under the general treaty of St Germain.

After this the French did much valuable work in opening up the country; their fur-traders, prompted by the desire for gain, and their missionaries, intent on the salvation of the heathen, penetrated farther and farther on all sides into the wilderness; while Joliet and Marquette explored the upper waters of the Mississippi and La Salle the Mississippi, the Ohio, and the Great Lakes. But with all this activity substantial progress in colonization was still very slow, owing in part to difficulties on the spot, in part to the incapacity and corruption of the Government at home. Nevertheless French expansion was watched with jealous eyes by the English, who were becoming increasingly alive to the dangers with which it threatened their own interests. Hence, wherever the rival races touched there was continual friction and much bloodshed, as in the Northern regions of the Hudson Bay Company and Newfoundland, and on the frontiers of New England and New York.

In these circumstances it was, of course, inevitable that when in 1689 war broke out between England and France hostilities should at once spread to America. In this conflict, which is known in colonial history as King William's War, the English possessed an obvious advantage in population and material resources, but this was to some extent counter-balanced by the superiority of the French in organization and leadership, and by their larger measure of support from the native tribes. Under Governor Frontenac they carried on a vigorous campaign in New York, New Hampshire, and Maine, and though the English fleet under Sir William Phipps

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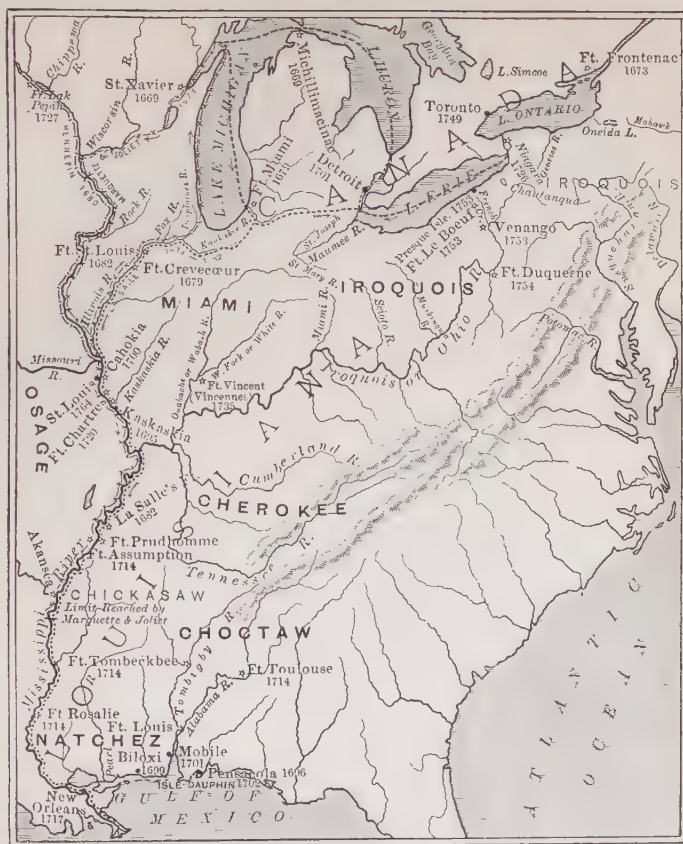
(the royal governor of New England) captured Port Royal (1690), their projected attack upon Quebec failed, and Port Royal was soon recovered (1691). So the war went on with no decisive results on either side till the Treaty of Ryswick (1697) restored, so far as the American colonies were concerned, the *status quo ante bellum*.

Five years later England and France were again embroiled in the War of the Spanish Succession, which enters into American history as Queen Anne's War. Locally, the principal feature of this was the English conquest of Acadia, which, together with the whole country drained by the affluents of the Hudson, was ceded to Great Britain by the Treaty of Utrecht in 1713.¹ But the boundaries were so vaguely defined that frontier fighting still continued intermittently till 1744, when another great war—the War of the Austrian Succession, or King George's War—began. The New England colonists under Sir William Pepperell now greatly distinguished themselves by the brilliant capture of the strong fortress of Louisbourg on the Island of Cape Breton. But under the Treaty of Aix-la-Chapelle the old uncertain state of things was re-established, to the disgust of the colonists; the restoration of Louisbourg in particular leaving them with a bitter feeling that all their efforts and sacrifices had gone for nothing.

In the few years of peace which followed² the French made a determined and systematic attempt to consolidate their

¹ In the meantime—in 1710—a party of sachems of the Iroquois came to England in order to induce Queen Anne to enter into a formal alliance with them against the French. Their visit, which aroused great interest, was the occasion of one of Addison's *Spectator* papers (No. 50).

² To this period belongs the tragedy of the Acadians. The French inhabitants of what was now Nova Scotia were a simple and ignorant folk, who retained their Catholic religion and their loyalty to France. Rightly or wrongly they came to be regarded by the English Government as a source of danger, and when war with France was again imminent it was determined that their community should be broken up. Accordingly in 1755 some 6000 of them were driven from their homes and dispersed through the other British provinces. Whatever may be urged in justification of this expatriation (and so impartial an historian as Parkman believed that it was necessary), it must at least be admitted that it was carried out with shocking barbarity. As every one knows, the sufferings of the wanderers form the historic background of Longfellow's *Evangeline*.



MAP SHOWING FRENCH EXPLORATION

COLONIAL HISTORY

American colonies, and to that end they proceeded to link up their possessions in Canada with those in Louisiana¹ by a continuous chain of posts and forts along the Ohio. Ever-increasing tension resulted between the Governments at London and Paris, which culminated in 1754, when Fort Duquesne was erected at the confluence of the Alleghany and Monongahela Rivers on the site of the present Pittsburg. On this the Virginians, who were specially menaced by this new development, dispatched a small force under a young colonel named George Washington; but this first effort to check the French failed, for Washington was driven back and compelled to surrender, though he was allowed to march away with the honours of war. The English Government then sent over General Edward Braddock to conduct a regular campaign against the enemy; but his army of 2000 men was routed by a party of some 900 French and Indians; Braddock himself received a musket-wound from which he died four days later; and it was only the skill and courage of his *aide-de-camp*, Washington, that saved the remnant of his van. All this, however, was only prelude. After a succession of angry representations between the English and French Governments the rupture came in 1756, when the equilibrium of Europe was upset and the world was plunged into the Seven Years War. The vast and far-reaching results of this tremendous conflict do not here concern us. All that we have now to do is to note that in America it proved fatal to the French dream of colonial empire. At first, indeed, the tide of war ran against the English, for Montcalm broke their invasion of Canada at Fort George and Fort William Henry and repulsed Abercrombie at Ticonderoga. But these initial successes were quickly followed by disastrous reverses, and Wolfe's victory on the Plains of Abraham (1759), the fall of Quebec, and the capture of Montreal (1760) were blows from which recovery was impossible. When at length, all the combatants being exhausted, the Peace of Paris was signed

¹ The first settlements in Louisiana, so called in honour of the 'Grand Monarque,' had been made in 1699. New Orleans, named after the Regent, was founded in 1718.

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in 1763, France ceded to England practically all her possessions in Northern America, and to Spain, as indemnity for the latter's losses, the whole province of Louisiana.

It may be added that the English conquest of Canada had a sequel in the Conspiracy of Pontiac—the last and most formidable of all the efforts of the Red Man to stem the westward advance of the English invader. Pontiac, chief of the Ottawas, had long been an ally of the French; he had given them valuable assistance in Canada, and, it is said, had led the Indian contingent in the victory over Braddock in 1755. After Canada had passed into the possession of the hated English he organized a great combination of native tribes against them, and in May 1763 opened a general attack upon their frontier forts. But though successful elsewhere, he failed in his attempt to capture Detroit, and this failure led to his ultimate defeat after more than two years of fighting. Pontiac himself was later murdered by an Algonquin Indian at Cahokia, Illinois.

THE COLONIES AND THE HOME GOVERNMENT

Such in brief outline is the history of the struggles of the English in America with the Indians and the French. We pass next to the relations of the colonies with the mother country.

The political upheaval in England during the period of the Civil War, the Commonwealth, the Restoration, and the Revolution affected the different colonies in different ways, according to their composition, circumstances, and the general character of their population. Naturally, the most emphatic contrast is that between Virginia and the New England group. In Virginia the popular sentiment was from the first predominantly royalist, and this was strengthened after the execution of Charles I by a large influx of the Cavalier class, who regarded that province, in the words of one of their number, as their "only city of refuge left in his Majesty's dominions."¹ Thus the royalist party obtained a complete ascendancy, and though during the Commonwealth the colony was governed by Parliamentary commissioners, on

¹ Ingram's "Proceedings," p. 34, in Force's *Tracts*, vol. i.



THE HARBOR OF QUEBEC, SEPTEMBER 11, 1759.

From an early print published in London

Mansell & Co., Ltd.

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the Restoration they regained their power without a struggle. New England, on the other hand, was throughout strong against the Stuarts, but, tenacious of independence, it was almost equally restive under Parliamentary control. Thus, when in 1651 Parliament demanded that Massachusetts should surrender the charter granted by Charles I and receive a new one in its place, the General Court boldly replied that they were quite satisfied "to live under the government of a governor of their own choosing and under laws of their own making." After the Restoration fifteen months were allowed to elapse before Charles II was formally proclaimed king; and when—the tyranny of the re-established Stuarts having in the meantime caused a vast amount of trouble, of which we shall have more to say presently—the Revolution swept the second James from his throne his fall was eagerly welcomed as providing an opportunity for the achievement of a larger measure of political freedom.

Without pursuing this part of our subject in further detail, we may say in general terms that from the opening of the struggle between the Parliament and the King to the time of the Restoration the attention of the English Government was so fully occupied with domestic affairs that the colonies were largely left to their own devices: a fact of capital importance, because the bias toward autonomy which they were thus allowed to take was too strong to be afterward entirely checked. But the Restoration, attended as it was by a revival of the Stuart theory of the royal prerogative, inaugurated a period of renewed interference with the colonies on the part of the Crown, and from this we may definitely date the beginning of those reciprocal jealousies and misunderstandings which, increasing steadily in volume, with the passing years were to mark the whole subsequent course of colonial history.¹

¹ It may be well at this point to note that after various committees had been created and dissolved the entire control of trade and colonial affairs was in 1665 vested in a committee of the Privy Council known as the Lords of the Committee of Trade and Plantations. This, however, continued in charge only till 1696, when its functions were transferred to the newly established Board of Trade.

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On the one hand the colonies, having learned something of the privileges of independence and gained confidence thereby, stoutly maintained their claims to the fullest measure of autonomy. On the other hand the authorities at home, keenly alive to the many anomalies and weaknesses of the existing company and proprietary systems, and perceiving the dangers of the separatism to which colonial freedom inevitably tended, held quite as obstinately to the right of the central Government to exercise a direct control over colonial affairs. Hence the perennial controversy was at bottom a controversy of opposed principles—of the doctrine of local self-government as against that of imperial rule.

THE COLONIES AND BRITISH LEGISLATION

One most fertile source of trouble, and of trouble which often assumed very serious proportions, was the policy adopted by the British Government toward the colonies in its restrictive industrial legislation. Here, indeed, we touch the tap-root of evil in the whole colonial system. The industrial development of the colonies was considered from the point of view only of the interests of the mother country, and they were expected at once to furnish raw materials for English manufacturers and to provide an open market for the finished products. Hence the repeated attempts of the home Government both to limit colonial commerce and to keep it within certain prescribed channels. One illustration will suffice to show the jealousy with which every suggestion of colonial competition was regarded by the British authorities and their local representatives. By the close of the seventeenth century cloth-making was very general throughout New England. Now, so long as the cloth produced was employed for domestic purposes only—each family simply meeting its own requirements—the Government did not think it necessary to interfere. But presently cloth was manufactured in quantities which permitted its exportation to the Southern colonies and the West Indies, and then the custodians of British commercial interests took alarm. Thus we find Lord Cornbury, when governor of New York (1701-8), reporting

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to the Board of Trade that, according to information received, "upon Long Island and Connecticut they are setting up a Woollen Manufacture," and generalizing upon that portentous fact in a passage which is worth quoting for the light that it throws upon the workings of the proconsular mind :

" I have myself seen Serge made upon Long Island that any man may wear. Now if they begin to make Serge, they will in time make Course [*sic*] Cloth and then fine ; we have as good fuller's earth and tobacco pipe clay in this Province, as any in the world ; how farre this will be for the service of England I submit to better Judgments ; but however I hope I may be pardoned if I declare my opinion to be, that all these Colloneys, which are but twigs belonging to the Main Tree, ought to be kept entirely dependent upon and subservient to England, and that can never be if they are suffered to goe on in the notions they have, that as they are Englishmen, soe they may set up the same manufactures here as people may do in England ; for the consequence will be that if once they can cloath themselves, not only comfortably but handsomely too, without the help of England, they who are already not very fond of submitting to Government would soon think of putting in execution designs they had long harboured in their hearts. This will not seem strange when you consider what sort of people this Country is inhabited by." ¹

Lord Cornbury's representations were, however, belated, for Parliament had already passed a Woollen Act (1699) which prohibited the exportation of woollen goods from the colonies to foreign countries and even from one colony to another, and this destroyed the threatened competition with the English trade. Half a century later similar means were adopted to throttle the then developing iron industry, an Act of 1750 providing that " no mill or other engine for slitting or rolling of iron, no plating forge to work with a tillhammer, and no furnace for making steel " should henceforth be erected " in any of his Majesty's colonies in America."

The most irksome and provocative of all the legislative enactments for the regulation of colonial enterprise were,

¹ *Documentary History of New York*, vol. i, pp. 711-712.

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however, the so-called navigation laws. The first of these, which was a comparatively innocuous measure, was passed by the Long Parliament in 1651 with the simple object of securing for English vessels the carrying trade of the colonies with England. But when this was confirmed in 1660 it was with the further provision that certain specified goods should be shipped from the colonies only to English ports, while by the subsequent Acts of 1663 and 1673 all exportation of the principal colonial staples otherwise than to England was forbidden, duties equivalent to the English customs duties were levied on the importation of such articles into any one colony from any other colony, and the shipment of foreign goods was restricted to shipment by way of England. As will readily be seen, the result was that each colony was almost compelled to obtain its supplies from the mother country. This monstrous legislation bore very heavily upon all the colonies and created so much discontent that even where it was not openly defied a large amount of illicit commerce went on in spite of it. In Virginia, where the tobacco trade was seriously affected, the Navigation Acts led to a revolt of the planters in 1698. Systematic evasion of them in Massachusetts was one of the numerous charges formulated against that colony by Edward Randolph,¹ and when at last, after long delay, the General Assembly gave effect to their provisions, it was by an Act of its own.

Almost equal irritation was caused later by the Molasses Act of 1733, which, for the purpose of reviving the declining trade of the British West Indies, imposed such duties upon molasses, sugar, and rum imported from any foreign country that the continental colonists were obliged to purchase these articles in the British Islands instead of from their French and Dutch competitors, from whom they had been able to buy more cheaply. As Mr Greene has said, "Most English statesmen regarded the southern colonies, and particularly the sugar islands, as deserving special attention and favour, because their trade was more clearly advantageous to the mother country."² But the continental colonists naturally

¹ See *post*, p. 124.

² *Provincial America*, p. 177.

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did not see why their interests should be ruthlessly sacrificed to those of the West Indian planters, whose misfortunes were in the main the result of their own incapacity and mismanagement, and the Act aroused such bitter hostility, and "involved so serious a disturbance of the natural course of trade,"¹ that it at once became practically a dead letter.

THE COLONIAL STRUGGLE FOR SELF-GOVERNMENT

The more purely political aspects of the relations of the colonies with the home Government next demand attention.

During the critical years between the Restoration and the overthrow of the Stuarts Massachusetts was the storm-centre of the struggle for colonial rights. We have seen that under the Commonwealth the General Court had refused the demand of the Parliament for the surrender of their charter, to which they clung as the corner-stone and guarantee of their liberties. When Charles II came to the throne they defined their position under that charter in a formal declaration in which, while proclaiming their allegiance to the King, they asserted their full power to legislate in respect of their own affairs, provided only that their enactments were not contrary to the laws of England. At the same time two representatives of the colony, Bradstreet and Norton, were sent to England, whence they returned with an answer from the King, which, while in general gracious and conciliatory, included a royal command that permission to use the Book of Common Prayer should be granted to all who wished it and that the religious test for the suffrage should be abolished. Nothing, however, had been done to give effect to these orders, which were warmly resented throughout the colony, when more serious trouble arose from another source. Various accusations having been made against the Massachusetts authorities by Rhode Island, New Hampshire, and Maine, the English Government in 1664 sent out a commission to inquire into these on the spot. The General Court thereupon prepared a petition to the King remonstrating against the commission as an invasion of their charter rights, and ultimately the commissioners were recalled

¹ *Provincial America*, p. 290.

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to England without accomplishing anything. The sequel to this failure was the demand of the King that the Massachusetts authorities should send over representatives to explain their contempt of his jurisdiction, but the General Court declined to accede, and the then pending danger from the Dutch prevented his Majesty from taking further action. The English Government, however, did not forget the obstinacy of the colony, and when some years later Massachusetts, as we remember, had been prostrated by King Philip's War, they saw in her weakened condition a favourable opportunity to renew the struggle. Accordingly, in 1676 Edward Randolph, as agent of the Lords of Trade, arrived in Boston bearing a letter from the King in which many grave charges were made against the colony in regard to its evasion of the Navigation Acts, its attitude toward the claims of Mason and Gorges, and various other matters. To this letter, the authorities were informed, an answer was to be delivered within a month. Thereupon Randolph returned to England, carrying with him all sorts of accusations against the colony ; but shortly after he was sent back to Boston as Collector of the Port, in which position he was active in attempts to create a Court party in Massachusetts and to stir up hostility against her through the rest of New England. Meanwhile, in respect of the home Government's demands, the General Court temporized and resisted, but in the end a writ of *quo warranto* was issued against the original trading company, and in 1684 the charter was annulled.

Then in 1686, in pursuance of a great general scheme for the consolidation of all the Northern colonies under the Crown, Sir Edmund Andros, armed with full authority to set at naught all existing local machinery, was appointed governor-general of Massachusetts, Plymouth, New Hampshire, and Maine, to which were soon added Rhode Island and Connecticut, and two years later New York and the Jerseys. In accordance with the true Stuart tradition, Andros' rule was at once despotic and foolish. He imposed taxes at his own will ; he cancelled the old land grants ; he ignored *habeas corpus* ; he set up a censorship of the Press ; he abolished

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the General Court ; he prohibited civil marriages ; he seized the principal church in Boston for Episcopalian services ; in a word, he did everything possible to drive the people to revolt. Thus the whole colony was seething in discontent when in April 1689 news reached Boston of the Revolution in England. Andros arrested the bearer of the tidings and hastened to issue a proclamation repudiating William of Orange. But the people of Boston rose in mass, and Andros and his henchman, Joseph Dudley, president of the council, were first thrown into prison and soon after shipped off to England.¹ Elsewhere in the Northern colonies the agents of James II were driven out, and the former order of things was restored.²

Two years later, largely through the influence of the Rev. Increase Mather of Boston, a new charter, under which, it will be remembered, Plymouth was merged in the larger colony, was granted to Massachusetts. This, however, was not nearly so liberal as the original charter had been, for though the representative assembly was retained, its provisions included the appointment of a royal governor, the right of appeal from the colonial courts to the Privy Council, and the submission of all colonial laws for ratification by the Crown. To this extent, therefore, Massachusetts had lost ground in her struggle for independence.

This rapid sketch of the course of political affairs in the great New England colony down to the close of the seventeenth century leads us naturally to some of the larger phases of our subject.

Already advocates of imperial control were strongly urging that, as a first step toward the realization of their ideals, the

¹ In England Andros was acquitted without formal trial of all the charges of maladministration brought against him, and as a reward for his brilliant statesmanship he was later made governor of Virginia.

² In New York the Revolution was followed by great disturbances. Jacob Leisler, a Dutch merchant and captain of a train-band, put himself at the head of the militia, overthrew Nicholson, the deputy-governor under Andros, and seized the government. For three stormy years he contrived, though with difficulty, to maintain his position, but in 1691 he was compelled to surrender to the new royal governor, Colonel Henry Sloughter, who, while drunk, was persuaded to sign his death-warrant.

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Crown should appoint its own governors in all the colonies,¹ and as this course was in fact adopted whenever—as in the case just before us—occasion favoured, the general tendency from this time onward was toward the transformation of the charter and proprietary colonies into royal provinces.² But beyond this the change in the attitude of the central Government toward the colonies was reflected in the restrictions introduced into the later charters. In that of Massachusetts, as we have just seen, the increased control of the Crown was very strongly marked; in that of New York the right of appeal from the local courts to the Privy Council was specifically asserted; in that of Pennsylvania, together with this right, the royal veto was reserved in respect of all colonial legislation; while in that of Georgia, the last of all, the independent action of the trustees was severely circumscribed. All these provisions indicate the determination of the Government to tighten its grasp upon colonial affairs. The royal veto in particular became a very important feature in colonial history, for it was often vigorously exercised; before 1765, it is computed, “nearly 400 different laws from the continental American colonies were disallowed by the Crown.”³

¹ Under William III the legal question was raised whether the Crown had the right to appoint a governor in a chartered colony without a formal abrogation of the charter. In 1690 Chief Justice Holt gave his opinion that this might be done in case of “necessity.” It was on the authority of this judgment that a royal government was established in Maryland in 1692, and that Governor Fletcher of New York was made governor also of Pennsylvania when Penn was temporarily deprived of his colony in 1693.

² By the middle of the eighteenth century there were seven such royal provinces—New Hampshire, New York, New Jersey, Virginia, North Carolina, South Carolina, and Georgia (transformed in 1752); while Massachusetts was a charter colony with a royal governor. Two charter colonies still retained their original constitutions—Rhode Island and Connecticut; and there were three proprietary colonies—Maryland, Pennsylvania, and Delaware. Though various differences in detail existed, the local government in all these colonies was broadly very much the same; the machinery consisting of an elective and representative assembly and a small council appointed, as the case might be, by the governor or the proprietor. The most important distinction among these groups was that in the royal provinces the governor was appointed by the Crown, in the proprietary colonies the proprietor or his representative acted as governor, while in the two charter colonies the governor was elected by popular vote.

³ O. M. Dickerson, *American Colonial Government*, p. 227.

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The various attempts which were made during the early eighteenth century to bring all the New England colonies together under viceregal rule were directed immediately against Connecticut and Rhode Island, whose right to elect their own governors annually made them practically independent of imperial control. As early as 1701 the Board of Trade presented a report recommending that all the existing charters "should be resumed by the Crown," and a Bill revoking them was actually introduced in the House of Lords, though it did not pass. The proposal was renewed, again without result, after the accession of Anne; and once more in 1715, when a Bill for the "better regulation of Charter and Proprietary Governments" reached a second reading in the Commons. Though thus far nothing had come of the continued agitation of the Board of Trade the liberties of the colonies were obviously imperilled, and it was his sense of their impending danger that prompted Jeremiah Dummer, then agent of Massachusetts in England, to write his spirited *Defence of the New England Charters* (1721), in which he vindicated the colonies against the accusation of disloyalty and, while not denying the right of Parliament to resume the charters if it deemed it expedient to do so, argued against such resumption on the ground that it would jeopardize colonial prosperity and therefore adversely affect the interests of the mother country.¹ This able polemic undoubtedly checked the movement against the charters, though in 1723 it was revived in the form of a scheme for the union of Rhode Island with the royal province of New Hampshire. But while it was the New England group which was most particularly involved in this special struggle, other colonies were also touched; as when in 1706 the legal advisers of the Crown held that certain Acts of the South Carolina assembly constituted a forfeiture of the charter; though in this case, as the offensive Acts were annulled by the assembly itself, the matter was allowed to drop.

The creation of royal provinces under the rule of a direct

¹ For extracts see *American History told by Contemporaries*, ed. Hart, vol. ii, pp. 133-137.

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representative of the Crown did not, however, solve the problem of colonial government as effectually as the advocates of imperial authority had expected. On the contrary, the relations of the governor and the local assemblies were nearly always strained; the almost incessant conflict which went on between them being, indeed, the most important phase of the general colonial struggle for independence.¹

In many ways this contest reflected the course of political controversy in England, and in this sense it may be viewed as part of the large movement of the time for the extension of popular government. But in the colonies themselves the issue was habitually complicated by local problems and interests, and thus it came about that as colonial demands for self-government were commonly regarded by English statesmen under their separatist aspects only, and as therefore and necessarily inimical to the welfare of the home country, the Whigs had as little sympathy with them as the Tories.

On the other hand, the antagonism of the colonies to their royal governors can be readily understood. As to them the representative assembly stood alike for the democratic principle and the right of each community to manage its own domestic affairs, so the governor symbolized both the monarchical idea and the power of external authority to override their will. Naturally, therefore, discord was most certain to arise when the governor himself was most conspicuously tenacious of his prerogatives, as in the typical cases of Sir Francis Nicholson of Virginia (1690 and 1698) and Maryland (1694), the Earl of Bellamont of New York, New Jersey, Massachusetts, and New Hampshire, Joseph Dudley of Massachusetts and New Hampshire (1702), Robert Hunter of New York (1710), and Alexander Spotswood of Virginia (1710). These men differed greatly one from another in policy no less than in individual character, but they were all strong believers in central authority, and their determination to act in accordance with their theories involved them in incessant wrangles with their

¹ Mr Greene goes so far as to call it "the fundamental fact of provincial politics after the Revolution of 1688" (*Provincial America*, p. 67).

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assemblies. And quite as naturally the quarrels were particularly bitter when the governor made himself personally unpopular by despotism or misgovernment. A famous instance is furnished by the history of Virginia, where the widespread disaffection caused by the tyranny of Sir William Berkeley, an arrogant and unscrupulous man who, Stuart-like, endeavoured to rule without an assembly, led to the organized rising known from its leader as Bacon's Rebellion (1675).¹ After four months of fighting the civil war was ended by Bacon's death of swamp-fever and the hanging of twenty-three of his followers, but though internal peace was thus secured, Berkeley—the "old fool" as Charles II called him—had meanwhile rendered himself so obnoxious that he was compelled to return to England. Similarly in South Carolina Sir Samuel Johnson came to grief in his attempt to exclude from the assembly all who were not members of the Church of England, though two-thirds of the population then belonged to dissenting sects, while a little later, after a collision with the people over various local questions, his son Robert, then governor, was deposed.

In the long history of these incessant quarrels, however, special interest attaches to those cases in which the disputes, while often petty enough in themselves, assumed importance because of some principle involved in them, and particularly to those which turned on such constitutional questions as the composition and functions of the assemblies, the choice of Speaker, levies of men and money for military purposes, and the selection of the judiciary. Foremost among these subjects of perennial controversy was the claim of the assemblies to complete command of the finances: a point of fundamental significance, because "the financial power of the assembly was the device by which the council was excluded from all

¹ Nathaniel Bacon was a young Englishman who had only recently joined the colony, but had already become a member of the council. He appears to have been a thoroughly honest man, but it is evident that he possessed few of the qualities necessary for successful leadership. Though the crisis was brought about by Berkeley's refusal to take energetic action against the Indians, who were then murdering settlers upon the frontier, the general cause must be sought in his high-handed dealings with the assembly.

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effective control over legislation and by which the executive powers of the government and council were successfully usurped.”¹ Everywhere the vital importance of this matter of the purse-strings was fully realized; as when Governor Belcher of Massachusetts wrote in 1732: “They that have the controul of the money will certainly have the power; and I take the single question on this head to be, whether the King shall appoint his own government, or whether the House of Representatives shall be the governor of the Province.”²

Among the special problems of finance which thus gave endless trouble was that of the governor's salary and the civil list. Early in its existence the Board of Trade undertook to draw up a permanent civil list for each colony, and though this attempt to regulate expenditure over the heads of the assemblies led to no acute difficulty in other colonies, it became a burning issue in Massachusetts, New York, and New Jersey. In Massachusetts the controversy began during the governorship of Lord Bellamont (1697), an efficient administrator who earned the gratitude of the entire colony by putting down piracy and bringing the notorious Captain Kidd to justice. But though he was personally popular the General Court could not be persuaded to waive their rights even in his favour; and while they voted him a handsome sum of money they declined categorically to allow him a permanent grant. Five years later the demand of Governor Dudley for such a grant was met with a similar refusal, the Court asserting their “native right and privilege” as English subjects “from time to time to raise and dispose such sum and sums of money as the present exigency of affairs calls for.” On this occasion a stiff fight ensued, but in the end Dudley had to give way. The struggle was renewed when Colonel Samuel Shute was sent out as governor in 1716, and even more vigorously under his successor, William Burnet (1728), son of the famous bishop, who, refusing to prejudice his position by accepting any temporary grants in lieu of fixed salary, tried all sorts of

¹ Dickerson, *op. cit.*, p. 160.

² Quoted by Dickerson, *op. cit.*, p. 169.

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devices to coerce the Court, dissolving it, proroguing it, removing it from Boston to Cambridge and Salem. But the Court was as stubborn as he was himself, and matters were still at a deadlock between them when he died suddenly within a year of his arrival. Then the question was taken to the Privy Council, which practically conceded the case of the colony. None the less, when Jonathan Belcher was appointed governor in 1730 he was definitely instructed to decline any gift or temporary grant. Upon this hostilities broke out once more, but after a protracted struggle Belcher received permission from headquarters to accept a grant pending a permanent settlement, and this again was a virtual victory for the General Court.

In the meantime a similar battle had been waged in New York, where Robert Hunter on his appointment to the governorship in 1710 received formal instructions from the Board of Trade to insist upon a permanent civil list. In this case a compromise was at first effected by grants for terms of from three to five years; but ultimately the assembly withdrew this partial concession and went back to the principle of the annual grant; and the home Government had to submit. In New Jersey, on the other hand, after much bickering and many experiments, a triennial grant was accepted on both sides as a way out of the difficulty.

It should be noted that in all these contests the French and Indian wars greatly helped the assemblies to maintain their position, for while unity of action was essential to the welfare and even to the existence of the colonies the home Government realized that it would obviously be unwise to resort to extreme measures of coercion. Proposals were, however, occasionally made to circumvent the assemblies by the granting of fixed salaries to colonial governors out of the British Exchequer; but these always fell through.

BOUNDARY DISPUTES AND COLONIAL UNION

While the relations of the colonies with the mother country were thus continually strained, intercolonial peace was

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frequently disturbed by disputes arising from uncertainty as to boundaries and from rivalry in trade. The quarrels of Connecticut with Rhode Island, New York, and Massachusetts, of Massachusetts with New Hampshire, of New York with Pennsylvania, and of Pennsylvania with Maryland and the Carolinas, though often serious enough to require the intervention of the home Government, are not in themselves of sufficient importance to find a place in our present general survey. Their broad interest for us lies in the fact that they serve to illustrate the evils of those centrifugal and separatist tendencies of which we have already spoken. The opposite movement—the movement toward the organic union of the colonies—deserves a little more attention.

From the closing years of the seventeenth century onward various schemes for colonial consolidation were from time to time proposed on the model provided by the New England Confederation. One such scheme was laid by Penn before the Board of Trade in 1697, for the amalgamation of all the provinces under a High Commissioner to be appointed by the Crown and a Federal Council to be composed of delegates, two from each province; and other plans were suggested later on the same general lines. As most of these, however, emanated from the Government party, and were clearly devised for the strengthening of imperial control, they were regarded with little favour by the colonists themselves. But meanwhile some practical attempts were made toward colonial consolidation, as in the incorporation of all New England, New York, and the Jerseys in a single province in 1686-88, and in the union of Plymouth with Massachusetts in 1691, and of Massachusetts, New Hampshire, New Jersey, and New York under Bellamont in 1698. Except in the case of Plymouth and Massachusetts these attempts led to little in the way of permanent result, for, as we have seen, the links were soon broken and the colonies involved again fell apart. But in the eighteenth century a powerful impulse was given to the general movement toward co-operation among the colonies by the French and Indian wars. United action now

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became a matter of urgent military necessity,¹ and hence in addition to renewed schemes for political integration repeated efforts were made to organize the whole colonial militia into a single army under a captain-general of all the forces. But even these efforts were frustrated by the persistent jealousy of the colonies one of another and by the obstinacy with which they clung to their autonomous rights.

At length, in 1754, when the condition of things in North America had become very critical indeed, and war with France was again imminent, by the direction of the Board of Trade an intercolonial congress was convened at Albany for the primary purpose of forming an alliance with the Iroquois.² This congress adopted a plan drafted by one of the delegates from Pennsylvania, Benjamin Franklin, "for the union of all the colonies under one government so far as might be necessary for defence, and other important general purposes."³ By this plan "the general government was to be administered by a President-General appointed and supported by the Crown, and a grand council was to be chosen by the representatives of the peoples of the several colonies, met in their respective assemblies," while each colony was left entirely free and unhampered in the management of its own domestic affairs.⁴ The fate of this federal scheme was, as Franklin himself said, "singular," for while the colonial assemblies on the one hand would have nothing to do with it because "they all thought there was too much *prerogative* in it," English political opinion on the other hand rejected it for the opposite reason that it savoured "too much of the *democratie*."⁵ Accordingly, the Board of Trade, which,

¹ The military weakness of the colonies as a congeries of practically independent states was perceived by the Swedish traveller Kalm, who, writing in 1748, pointed out that the French in Canada "who are but an inconsiderable body in comparison with the English in America. have by this position of affairs been able to obtain great advantages in times of war" (*Travels into North America*, trans. Forster, 2nd ed., 1772, vol. i, p. 205).

² Seven colonies only took part in this congress—New Hampshire, Massachusetts, Rhode Island, Connecticut, New York, Pennsylvania, and Maryland. The chiefs of the Iroquois were also called in conference.

³ Franklin, *Autobiography*, chap. x.

⁴ *Ibid.*

⁵ *Ibid.*

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while anxious to consolidate the colonies under the Crown, was suspicious of any movement which promised to strengthen them by internal union, formulated an alternative plan "whereby the governors of the provinces, with some members of their respective councils, were to meet and order the raising of troops, the building of forts, etc., and to draw upon the treasury of Great Britain for the expense, which was afterwards to be refunded by an Act of Parliament, laying a tax on America."¹ But Franklin himself was convinced that this substitution had been a serious mistake. "The different and contrary reasons of dislike to my plan," he later wrote, in a passage of great significance, "make me suspect that it was really the true medium; and I am still of opinion that it would have been happy for both sides if it had been adopted. The colonies so united would have been sufficiently strong to have defended themselves; there would have been no need of troops from England; of course the subsequent pretext for taxing America, and the bloody contest it occasioned, would have been avoided."² But though the Albany Congress failed to effect a union of the colonies on a democratic basis, it none the less helped to deepen their growing sense of their interdependence and solidarity.

¹ Franklin, *Autobiography*, chap. x.

² *Ibid.*

CHAPTER VI

OLD COLONIAL DAYS

HAVING sketched in broad outlines the political history of the colonies down to the years immediately preceding the Revolution, I purpose in this chapter to consider their internal conditions.

In the absence of any official enumeration it is manifestly impossible to obtain exact statistics of colonial population, and as the opinions of the authorities on this matter differ very widely, only approximate figures can be given. It may, however, be said with some approach to certainty that between 1700 and 1763 the population of the Southern group had risen from about 89,000 to 625,000 ; that of New England from 105,000 to 625,000 ; and that of the Middle colonies from 59,000 to 590,000. This remarkable increase was due in part to the abnormally high birth rate of the whites, and in part to the large importation of negroes, some 400,000 of whom have to be included in these estimates. Thus at the time of the Revolution the total number of the inhabitants of all the thirteen colonies would seem to have amounted to nearly two millions. Taken in the mass this population appears to have been pretty equally divided by Mason and Dixon's line, but as three-fourths at least and perhaps four-fifths of the black slaves were held in the South, the white population of the Southern colonies was considerably smaller than that of the colonies in the North.¹

¹ In Virginia the blacks almost equalled the whites in number ; in Maryland the relative proportion was about the same ; in North Carolina they were as one to three of the inhabitants ; in South Carolina they outnumbered the whites in the ratio of four to three ; in New York they formed one-seventh and in Pennsylvania one-thirteenth of the population ; while in New England there were perhaps not more than 13,000 of them all told.

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In the composition of their population the colonies differed greatly. In Virginia, notwithstanding a small infusion of Huguenots and later of Germans and Scotch-Irish, the English were in an overwhelming majority, and these were largely, though not so largely as is commonly supposed, of the Cavalier stock.¹ Maryland too was fundamentally English, its small sprinkling of foreigners being mainly of the poorer classes. In the Carolinas, on the other hand, the foreign element, while not very strong numerically, was of excellent quality. Among the Middle colonies the Jerseys were most pronouncedly English; in Pennsylvania and Delaware the population was from the first extremely mixed, and in the end the French, Dutch, Germans, Swedes, Finns, Scotch-Irish, and Welsh together outnumbered the English; in New York the original Dutch element remained so strong that at the beginning of the eighteenth century, despite the English conquest and the subsequent arrival of considerable contingents of French, Germans, and Swedes, the majority of the inhabitants were still of Dutch descent. In New England, on the contrary, throughout the entire colonial period, the pioneer English race was hardly at all contaminated by any admixture from without; indeed, it is computed that at the time of the Revolution 98 per cent. of its entire white population was of pure English stock.

From this preliminary statistical survey of the colonies I pass to their social and intellectual characteristics. Before proceeding to these, however, I think it desirable to introduce a word of warning. Not only must such a summary as I am now about to undertake be of necessity imperfect, but there is also a danger lest by reason of its imperfection it may at times be partial and therefore misleading. When, as in this case, a subject involving masses of detail has to be dealt with in a very narrow space, many particulars really essential to the completeness of the study have perforce to be omitted, and in consequence the few salient facts which are selected and presented without qualification will often be found to stand

¹ The Cavalier immigration occurred chiefly during the period of the Commonwealth.

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out with a rather unnatural distinctness. This is the inevitable peril when one has to confine oneself entirely to generalities—the lights and shadows in the picture are apt to be too pronounced, and too little allowance will be made for neutral tints. I will therefore ask the reader to bear these considerations in mind, while at the same time, by avoiding the temptation to over-emphasize certain facts, to the exclusion of others less obvious but not less significant, I will do my best to make my rapid sketch as full and fair as the space at my disposal will permit. We will take the colonies one by one, beginning in the South.

SOCIAL LIFE IN VIRGINIA

In considering the social characteristics of the Old Dominion we have to start with the fundamental fact that the colony's one source of wealth was the cultivation of tobacco. By that single occupation all the energies of the community were absorbed, and to it every other interest was subordinated. Hence the supremacy of the planters or landowning class, who with their servants and slaves formed the backbone of the population. The other natural resources of the country were left undeveloped; industry was practically non-existent; manufactured articles, even most of those in common domestic use, were imported from England;¹ merchants were unknown; and such trade as was absolutely necessary was carried on only by small shopkeepers. It was not till toward the close of the colonial period that the legal profession, hitherto held in disrepute, began to attract men of position and character, while the practice of medicine remained in the hands of apothecaries, barbers, and quacks. The only learned calling of recognized standing was the Church, which, established by law and supported by the landed aristocracy, enjoyed all the advantages of social prestige and was able to give full play to its intolerant spirit and to harass every form of dissent. But it contributed little to the higher life of the colony, for its clergy as a whole, like the mass of the English country clergy of the

¹ Beverley, *History of the Present State of Virginia* (1705), Book IV, p. 58.

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age of Anne and the early Georges, were worldly men, whose culture and spirituality were alike very meagre, whose morals were often lax, and who indulged freely in the fashionable amusements of their aristocratic patrons and friends.

The influence of these conditions upon the habits of the landowners was very marked. In the cultivation of tobacco short periods of strenuous activity were followed by long periods of idleness, during which, while their womenfolk were occupied with domestic and social affairs, they were at liberty to devote themselves to fox-hunting, horse-racing, cock-fighting, gambling, hard drinking, and—their chief interest outside sport—politics,¹ and thus “in essentials the life which the Virginian led on his estate was the same as that which the English gentleman led on his own.”² The great planters were indeed characterized by most of the qualities of the class from which they sprang and to whose traditions they adhered; proud of their caste and position, contemptuous of trade, despotic in temper, and with few exceptions indifferent to intellectual things, they were at the same time brave, chivalrous, open-handed, and hospitable. Even in the matter of religion their resemblance to the squirearchy at home was equally marked, for, without the slightest trace of any evangelical enthusiasm, they maintained, in Governor Spotswood’s oft-quoted phrase, “a gentlemanly conformity to the Church of England.” While the houses of the middle classes were generally rude and uncomfortable, those of these wealthy

¹ The uncertainty of the tobacco crop from season to season and the fluctuations to which it was liable also reacted upon the habits of the planters, encouraging that speculative recklessness which was one of their common characteristics. It will be remembered that tobacco was the currency of the colony, and any shrinkage in the supply therefore “involved the people in general distress” (Campbell, *History of Virginia*, p. 510). One noteworthy consequence of this curious state of things may be mentioned in passing. By an Act of 1748 the Virginia legislature had fixed the annual salary of every parish minister at 16,000 pounds of tobacco. The suspension of this law in 1755 and again in 1758, and the enactment of other laws requiring the clergy at the option of the vestries to receive their salaries not in tobacco, but in the much depreciated paper money of the colony, were the origin of the famous ‘Parson’s Cause,’ in which Patrick Henry scored the first success of his career.

² P. A. Bruce, *Social Life in Virginia in the Seventeenth Century*, p. 31.

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patricians were often large, substantial, and elegantly furnished, reminding the visitor, alike in their structure and in their appointments, of the great manor-houses of the Old Country. In these patriarchal establishments everything was on a generous scale, though there was a good deal that was barbaric amid the superficial splendour. The extravagant tendencies of the class as a whole were variously shown by their bountiful tables, their lavish festivities, their love of display and personal finery. It is an index of their taste that, though wearing apparel was imported and very dear, men and women alike were always handsomely dressed in the prevailing fashion.

One fact of capital importance in this old patriarchal life is that it rested ultimately upon slave-labour. In the climatic conditions of the colony negroes were early found invaluable for the cultivation of the tobacco plantations, and in course of time they came to be employed more and more in domestic service also. As their numbers grew, however, they inevitably became a disturbing and even dangerous element in the community, and thus after the serious black rising of 1687 legislation in regard to them increased steadily decade by decade in severity, until at length they were reduced to the condition of chattels with no rights even of the most rudimentary kind. In practice, indeed, they were better off than the evidence of the statute book would lead us to expect, and certainly far better off than their fellows in the more southern colonies, for on the whole they were fairly clothed and fed and were seldom overworked. But if the slave-system in Virginia was rarely disgraced by the terrible savagery which throughout attended it in South Carolina, its demoralizing influence on owners as well as slaves has none the less to be emphasized. That it affected detrimentally the civilization of the colony and retarded its progress is also, I think, beyond dispute. In particular the association of all manual work with a degraded race set apart for the purpose made such work itself seem degrading, and thus a serious obstacle was introduced to the normal development of free labour among the white population.

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At this point, moreover, the evil influence of slavery was reinforced by the prominence in the colony of another class of helots, the indentured white servants, who were bound to their masters for varying terms of years—usually four or five in the case of adults, and seven in that of children—and were entirely in their power. Many of these, it is true, were ‘redemptioners,’ who voluntarily sold their services to pay their passage to America, and who were often quite decent persons; but others were transported criminals, political offenders, or boys and girls who were indentured by their parents or guardians or kidnapped by scoundrels who thrived on this nefarious traffic, and these for the most part proved a very undesirable addition to the population of the colony.¹ The term of their bondage over, the worst of such indentured servants helped to swell the “poor white trash” which formed a rough and dangerous portion of the community, while the best of them, finding the labour-market blocked against them by the slave-system, sought wider opportunities elsewhere.

One important result of the general conditions which have been described must be carefully noted. In Virginia the larger part of the population was sparsely scattered over wide areas,² the whole trend of life in the colony, its occupations, its interests, and the habits which had grown up in conformity with them, being markedly unfavourable to the development of towns. Till well on toward the Revolution, indeed, with the solitary exception of Norfolk, which by this time had assumed some importance, what were known as towns were towns only

¹ The adventures of these indentured servants furnished abundant material to picaresque writers. See, for example, Mrs Behn's *Widow Ranter* and Defoe's *Moll Flanders* and *Colonel Jack*.

² “The Virginia parishes were so extensive that parishioners sometimes lived at the distance of fifty miles from the parish church” (Campbell, *op. cit.*, p. 382). As contrasted with New England, where the central feature was the town, the parish was in Virginia the unit of local government, and as in each parish the justices of the peace, who were really the controlling powers, were appointed by the governor, while the affairs of the New England town were managed by the popular assembly known as the ‘town meeting,’ local government in the great Southern colony was far less democratic than it was in the North.

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in name. Even while still the capital, Jamestown, for example, was nothing more than an untidy village, and in 1716 it consisted merely of a church, a court-house, and a few brick dwellings.¹ This was, of course, in the days of its decline after it had ceased to be the seat of government, but later in the century the new capital, Williamsburg, contained, in addition to the college, public buildings, and church, only about 200 wooden houses standing in unpaved streets.² As for the so-called 'paper towns'—towns, that is, established by the Government in certain specified localities for the convenience of trade—these were generally represented only by a court-house, a church, a jail, and an inn.

From what has been said it is evident that even if the tastes of the planter class had been other than they were, conditions in Virginia were adverse to intellectual progress. The commonly accepted and sweeping assertion that the Virginians cared absolutely nothing about culture needs, indeed, some qualification; we know that the best English books were to be found in many of the great houses and that there were a few excellent private libraries, like those of Colonel William Byrd (the largest in the colony), John Randolph, Madison, Jefferson, and Mason. But it still remains a fact that there was a general apathy in regard to intellectual things. During the whole colonial period Virginia produced hardly any literature worthy of the name. Till within ten years of the Declaration of Independence it had only one printing-press. It was not till 1736 that its first (and only) newspaper, *The Virginia Gazette*, appeared, and not till 1752 that its first theatre was opened in Williamsburg. Education too was deplorably backward. In 1670 Sir William Berkeley, in the true spirit of benighted Toryism, had thanked God that there were no free schools in the colony, and no system of public instruction existed there before the Revolution. The result was that while the education of the children of the wealthier families was almost entirely in the hands of

¹ *A Huguenot Family in Virginia*, p. 271.

² Andrew Burnaby, *Travels through the Middle Settlements in North America in the Years 1759 and 1760*, p. 6.

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the clergy, the mass of the people grew up wholly illiterate. It is true that in 1692 a slight sign of intellectual awakening appeared in the foundation of William and Mary College at Williamsburg, next after Harvard the oldest of the American universities. But despite its pretentious name this never offered anything approaching a real academic curriculum, and in course of time it sank to the level of a second-rate boarding-school.

That in general social conditions in Virginia tended to foster mental indolence and a strongly conservative spirit is therefore very clear. Hence we are not surprised to find that from the definite settlement of its social system toward the end of the seventeenth century the colony remained quiescent and unprogressive. Yet as subsequent events were to prove there were latent qualities in its population which it needed only the shock of a great occasion to call into activity. We must not forget that when the Revolution came Virginia furnished in men like Washington, John Marshall, Thomas Jefferson, Patrick Henry, and James Madison its full quota of leaders to the national cause. As one of Washington's biographers has said, "We must go back to Athens to find another instance of a society so small in numbers, and yet capable of such an outburst of ability and force."¹

SOCIAL LIFE IN THE OTHER SOUTHERN COLONIES

In the other colonies of the Southern group social conditions were broadly similar to those which obtained in the Old Dominion. In these too the whole economic fabric rested upon the basis of slavery, which reacted in much the same way on the character and habits of the great planters and farmers who formed the aristocracy of the community; and in these again, in the almost complete absence of manufactures and industries, free white labour found little opportunity, and the middle classes remained of very small account. Throughout the South education was practically ignored; in the Carolinas till the eve of the Revolution no attempt to organize popular instruction had been made; and

¹ H. C. Lodge, *George Washington*, vol. i, p. 28.

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though from 1728 onward Maryland possessed a free-school system of a sort, even this, being under the control of the Church, did not prosper. Religion, meanwhile, was at an almost equally low ebb ; for while the men sent out to South Carolina by the London Society for the Propagation of the Gospel were of an excellent type, the Southern clergy as a whole were intellectually and morally inferior : those of Maryland, indeed, being so notoriously debased that the term ' Maryland parson ' became a byword of contempt throughout the colonies.¹ In general, as in Virginia, the dispersion of the population over immense, isolated, self-dependent estates hindered the growth of towns, and, in consequence, the development of the activities and interests which accompany an urban civilization. But in this particular case South Carolina provides a singular exception, for the social life of that colony was centralized in the flourishing little capital of Charleston, where all the great planters had houses (some living there all the year round and leaving their estates to overseers), and which during the winter season was gay with balls, suppers, assemblies, and concerts. Such a focus of social intercourse existed nowhere else in the South, and its influence was shown in a certain superficial polish which characterized the wealthier classes, in their taste for the amenities of life, and in their rudimentary interest in literature and art.

In the foregoing paragraph no specific reference has been made to Georgia, because the peculiar circumstances of its origin seem to suggest that this colony should be detached from its neighbours and treated apart. Yet such differential characteristics as it possessed during its earlier history soon disappeared. At the outset the efforts of the trustees had been directed toward the formation of a community of small independent freeholders after the New England model ; they had therefore done their best to discourage the creation of large estates and a territorial aristocracy ; and they had also, as we have seen, prohibited the introduction of negro slaves. But when Georgia became a royal province the aims and

¹ Grayson, *Memories of a Life spent chiefly in Pennsylvania*, p. 102.

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objects of its founders ceased to have any effect. Large estates, it is true, continued to be comparatively rare, the mass of the white population consisting chiefly of small planters and farmers ; but otherwise, in respect of economic and social conditions, there was little to distinguish Georgia from the other members of the Southern group. In particular slavery soon became the foundation and centre of its entire existence, and in no other colony, with the solitary exception of South Carolina, were its evils so flagrant or its results so far-reaching and so disastrous. The activities of Georgia were almost entirely agricultural ; it developed no industries and no manufactures ; its towns were few and insignificant—the largest, Savannah, having at the time of the Revolution a population of only 1200 ; intellectual interests were completely ignored, even by those who had leisure to pursue them ; and no provision whatever was made for general education.

SOCIAL LIFE IN PENNSYLVANIA

In passing from the Southern to the middle colonies we at once become aware of a great change in social and intellectual climate. As New Jersey and Delaware present little matter of interest for our study, we will here confine our attention to Pennsylvania and New York.

The social history of Pennsylvania during the colonial period everywhere illustrates the workings of that progressive spirit, the absence of which we have observed as a significant fact in the history of the South. Before the seventeenth century had closed the "great and extended Traffique and Commerce" of the colony "both by Sea and Land" had already been remarked ;¹ by the middle of the eighteenth century its general prosperity was a commonplace with English writers.² While throughout the country the great mass

¹ Gabriel Thomas, "An Historical and Geographical Account of the Province and Country of Pensilvania, 1698" (in *American History told by Contemporaries*, ed. Hart, vol. ii, p. 65).

² E.g., "Of all British colonies in North America, Pennsylvania is the most flourishing" (*A Brief State of the Province of Pennsylvania, in a Letter from a Gentleman who has resided many years in Pennsylvania to his Friend in London*, 2nd ed., 1755, p. 4).

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of the people were engaged in agriculture, manufactures developed so rapidly that the Swedish traveller Kalm in 1748 declared that "in a short time this province will want very little from England."¹ The same writer also noted the "great trade" which it was then carrying on with various "parts of the world," especially the West Indies, South America, the Antilles, England, Ireland, Portugal, and the other North American colonies.²

One result of this activity was the steady rise in importance and influence of the commercial and industrial classes—merchants, tradesmen, and skilled mechanics; another, the concomitant growth of the spirit of thrift and enterprise; though, on the other hand, the increase of wealth inevitably encouraged a love of luxury and habits of extravagance which soon played havoc with the simple tastes and manners of the early Quakers. The emergence of the professional classes was another sign of changing social conditions. At the end of the seventeenth century the sprightly Gabriel Thomas had rejoiced in the fact that as "the Countrey is very Peaceable and Healthy" it gave little scope to lawyers and physicians—"both equally destructive to Mens Estates and Lives"; but in the century following law and medicine alike acquired recognized standing in the community and attracted men of much better quality and training than was the case anywhere in the South.

Such industrial and social evolution of course entailed centralization; whence the growth of towns like Reading, Lancaster, and York, and, more particularly, the importance of the capital. Well-built, well-governed, full of business and animation, Philadelphia was in 1750 second only to Boston among colonial cities, while at the time of the Revolution, with its population of perhaps 20,000, it had almost if not quite caught up with its New England rival.³ After Boston,

¹ *Op. cit.*, vol. i, p. 70.

² *Ibid.*, vol. i, pp. 38-39.

³ The steady increase in the prosperity of the city is amusingly illustrated by Franklin in his account of a certain Samuel Mickle, one of those 'croakers' who are to be found "in every country." When Franklin opened his new printing house this pessimistic gentleman stopped him at his door and

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too, it was the greatest centre of intellectual life on the North American continent. It had its printing-presses, its newspapers,¹ its bookstores. It had also two well-stocked subscription libraries, one founded by Franklin, the other by Logan, the former of which in 1748 already contained "a fine collection of excellent works, most of them English, many French and Latin."² Some activity was also shown in the republication of standard English books. Though in the rural districts of the colony education was left to private schools, which were scarce and poor, Philadelphia had an excellent public school as early as 1711, while in 1755, on the lines already laid down by Franklin, an academy for higher studies was chartered which presently developed into the University of Pennsylvania. Another of Franklin's numerous schemes was a club for "mutual improvement," called the Junto, which was the germ of the later Pennsylvania Philosophical Society. A few men of something more than merely local reputation, like Franklin himself, George Keith, "the most

prophesied all sorts of coming disaster: "Philadelphia was a sinking place; the people already bankrupts, or near being so; all the appearances of the contrary, such as new buildings and the rise of rents, being to his certain knowledge fallacious." This person, adds Franklin dryly, "continued to live in this decaying place and to declaim in the same strain, refusing for many years to buy a house there, because all was going to destruction; and at last I had the pleasure of seeing him give five times as much for one, as he might have bought it for when he first began croaking" (*Autobiography*, chap. iv). Like other cities of the time, European as well as American, Philadelphia was till the middle of the eighteenth century in a deplorable condition in respect of cleanliness; its streets being unpaved, "in wet weather the wheels of heavy carriages ploughed them into a quagmire, so that it was difficult to cross them, and in dry weather the dust was offensive" (Franklin, *op. cit.*, chap. ix). Franklin himself took the matter in hand in 1756, and through his exertions the city was both paved and lighted.

¹ By the middle of the eighteenth century there were eleven newspapers in the colonies. Five of these were published in Boston, one each in New York, Virginia, and South Carolina, and the remaining three in Philadelphia, one of these being in German.

² Kalm, *op. cit.*, vol. i, p. 35. Franklin, writing in 1771, speaks of his own institution as "the mother of all the North American subscription libraries, now so numerous"; and he adds: "These libraries have improved the general conversation of the Americans, made the common tradesmen and farmers as intelligent as most gentlemen from other countries, and perhaps have contributed in some degree to the stand so generally made throughout the colonies in defence of their privileges."

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learned man in the quaker sect,"¹ John Bartram, the self-trained botanist who founded near Philadelphia the first botanical garden in America, Rittenhouse, the astronomer and mathematician, and Thomas Godfrey, the "inventor of what is now called Hadley's Quadrant,"² also gave intellectual distinction to the city. A certain amount of interest was also taken in literature and art; Thomas Godfrey's son, also Thomas, wrote the first American plays;³ and in the teeth of considerable opposition from the authorities a theatre was finally established just outside the municipal limits.⁴

This opposition was largely the result of the continued Quaker influence, which was elsewhere and more advantageously shown in the philanthropic establishments of the city—its large hospital, its orphanage, and its lunatic asylum, the only institution of the kind at that time in America.⁵ The same influence may also be traced in the legislation of the colony. It is true that Penn's own humanitarian theories soon broke down under stress of the increase of crime which followed large and miscellaneous immigration; before long the death penalty was introduced for a variety of minor offences, and otherwise the criminal code became almost as Draconian as it was in the other colonies. But the Quaker spirit survived in the management of the prisons, which were described by competent observers at the time of the Revolution as the best in the world.⁶

On one other important subject the principles of the early Quakers were gradually abandoned, and that was negro slavery. Slaves were never very numerous in the colony, and

¹ Burnet, *History of his own Times*, vol. i, p. 248.

² Franklin, *op. cit.*, chap. v.

³ These, entitled *Artabarus and Evanthe* and *The Prince of Parthia*, were obvious imitations of that 'heroic' type of drama which had flourished during the Restoration, but the vogue of which had long since passed in the Old Country. Godfrey also published some mediocre poems.

⁴ In 1749 a native company was suppressed by the magistrates, but five years later an English company was licensed. The first playhouse was erected in 1758.

⁵ See J. P. Brissot, *Nouveau Voyage dans les États Unis en 1788*, tome i, Lettre XIV.

⁶ Crèveœur, *Letters of an American Farmer*, pp. 40, 67.

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were generally employed only as house-servants, but the institution as such was accepted, and though in practice the owners appear rarely to have abused their authority, their rights of property in their human chattels were jealously safeguarded by many harsh laws. It must, however, be added that, foreseeing the evils which would be certain to result from any considerable increase in the number of negro slaves, the Pennsylvania assembly in the eighteenth century made repeated efforts to stop their importation by means of prohibitive duties, and that at length, despite the settled opposition of the English Government, such importation in fact ceased. In this matter, as in the matter of war, the colonial Quakers were far from consistent. At the outset they had taken a strong stand against the system.¹ But by the middle of the eighteenth century it was noted that they were "no longer so nice" as they had been and held "as many slaves as other people."² Even then, however, "a very zealous Quaker" would be likely to give his slaves their liberty "after they had faithfully served him for a short time," and this practice of manumission was frequently adopted also by "Christians of other denominations."³ At the same time agitation among the Quakers against the system never quite died down, and in the end the noble-minded John Woolman of West New Jersey, who spent his life in preaching against it throughout the colonies, South as well as North, induced his co-religionists as a body to cease from all participation in the accursed thing.⁴

SOCIAL LIFE IN NEW YORK

Though it looks much more extensive on the map, the province of New York during old colonial days was practically confined to the town of New York, Long Island, and the

¹ The first vote in America against slavery was that recorded in a Monthly Meeting of the Germantown Friends in 1688. (For this see *American History told by Contemporaries*, ed. Hart, vol. ii, pp. 291-292.) But the Yearly Meeting at Burlington, to which their minute was sent, refused to confirm it (Hart's note to above).

² Kalm, *op. cit.*, vol. i, pp. 305-306.

³ *Ibid.*, vol. i, pp. 306, 308.

⁴ See Woolman's *Journal*, ed. Whittier.

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valley of the Hudson River, along which there were scattered settlements and manors as far as Albany and Schenectady, about 150 miles to the north. Beyond these frontier towns expansion was checked by the French in Canada, and by the Indian Confederation of the Iroquois or Six Nations¹ which occupied the lake country to the west.

The influence of the original Dutch settlement of the colony was shown in the fact that, with the exception of Long Island, where Puritan immigrants from Connecticut had introduced the New England system of small townships, nearly all the available land was in the hands of a few great families belonging to the patroon class. These formed an aristocracy which, though differing essentially in character and habits from the aristocracy of Virginia, was equally jealous of its privileges and powers; while the bulk of the agricultural population was composed of the tenantry of their vast estates. Here we touch upon one of the factors which combined to retard the growth of the colony, since very obviously settlers from the old countries would hardly be likely to select as their new home a province in which they would still be in a condition of vassalage when they could be masters on their own soil in Pennsylvania or New Jersey or New England.² The tide of agricultural immigration was thus turned from New York to these other colonies.

Another factor which adversely affected the development of the province was its almost incessant military activity. It was of all the colonies the one most exposed to the French. It was necessary, therefore, that it should be kept in a state of constant preparation, and in addition to the British troops regularly stationed on Manhattan Island it maintained a

¹ These were originally the Five Nations—that is, the Mohawks, Oneidas, Onondagas, Cayugas, and Senecas. They became the Six Nations when a Southern tribe, the Tuscaroras, joined them in 1715.

² The ill effect of this feudal land system was recognized when some of the royal governors granted immense estates to their own favourites. It was then pointed out in protest that "one great reason" why people "left their native Country, was to avoid the dependence on landlords, and to enjoy lands in fee to descend to their posterity, that their Children may reap the reward of their labour and Industry" (*Documentary History of New York*, vol. i, pp. 377-389; vol. ii, pp. 622-627).

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standing army of its own and a large force of trained militia. This state of things, and the numerous frontier wars of the first half of the eighteenth century, entailed an immense expense, which was met by such heavy taxation and such ruinous methods of finance that by the end of the French wars the people were "burthened with taxes," the public debt amounted to "more than £300,000," while owing to the depreciation of the paper money "the difference of exchange between currency and bills" was "from 70 to 80 per cent."¹

The direct effect of such conditions in checking the prosperity of the colony is too apparent to need comment. But the chronic militarism in which they originated had also remoter results. It favoured, as chronic militarism always must favour, the interests of autocracy. Hence we are not surprised to find that one feature of the pre-revolutionary history of New York, as compared with that of the other colonies, is the relative success of the royal governors in maintaining their arbitrary power and the relative inability of the assembly to hold its ground against them. Nor was this the end of the vicious chain, for the abuse of irresponsible authority by rapacious and dishonest governors had in its turn many disastrous consequences, among them the administrative corruption which gave New York an unenviable reputation throughout the colonies.²

In New York, as in Pennsylvania, the two chief industrial interests of the population were agriculture and trade. Owing to the commercial activity of the colony the merchant class rose steadily in wealth and prestige. On the other hand, the

¹ Andrew Burnaby, *Travels through the Middle Settlements in North America in the Years 1759 and 1760*, p. 67.

² One of the most famous cases in the annals of the colonial courts—the Zenger case—is connected with this widespread political corruption. In 1734 John Peter Zenger, a German who had come to New York as a boy, ventured in a newspaper he had just founded, *The Weekly Journal*, to criticize Governor Cosby and his officials. He was thereupon prosecuted for seditious libel. His defence was ably conducted by Andrew Hamilton of Philadelphia, the most prominent colonial lawyer of the time, and despite the attempts of the venal judges to intimidate the jury, he was acquitted; his acquittal being, as Professor Hart has said, "a landmark in the history of the press and of freedom of speech in America." For extracts from the proceedings see *American History told by Contemporaries*, ed. Hart, vol. ii, pp. 192 ff.



THE FIRST TOWN HALL AND COURT HOUSE, PHILADELPHIA



THE STADTHUYS OF NEW YORK, 1679

After a drawing by Brevoort

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status of the professions was very low ; that of the law was badly affected by the prevalent political demoralization ; that of medicine was mainly confined to unlicensed practitioners. As the great estates were for the most part cultivated by tenant-farmers there was little demand for servile labour ; indentured white servants were never numerous, and negroes were not very generally employed in field-work. At the same time, in part probably as a result of the original Dutch influence, there were in proportion to the white population more slaves in New York than in any other Northern colony. Utilized in almost every menial capacity, they were on the whole well treated ; one writer of the later colonial period going so far as to assert that in the province " even the dark aspect of slavery was softened into a smile." ¹ None the less, in the attempted insurrection of 1712 and in the so-called Great Negro Plot of 1741 the evil system provided two of the most deplorable episodes in New York colonial history.² After the latter event, however, public sentiment in regard to the negroes underwent a reaction, and while slavery continued, the free blacks of the province were presently admitted to the franchise.

We have already noted that notwithstanding immigration from other countries after the English conquest, the majority of the inhabitants of New York were still at the beginning of the eighteenth century of Dutch descent, and fifty years later the Dutch influence continued to be a powerful factor in the lives and habits of the people. This was, of course, particularly the case in rural districts, where ancient sentiments and customs always linger longest. But in 1748 it was remarked by Kalm that even the town of Albany—next after New York " the principal town, or at least the most wealthy " in the

¹ Mrs Grant, *Memoirs of an American Lady*, vol. i, p. 51.

² The rising of 1712, which began with the firing of an outhouse in Maiden Lane, in the town of New York, was a comparatively trivial matter, and was soon suppressed by the military. Twenty-one negroes who rightly or wrongly were found guilty of complicity in it were executed, several of them being burned at the stake and one broken on the wheel. The history of the later affair, which really originated in a wave of anti-Catholic feeling and implicated the negroes only incidentally, is still obscure. It seems probable that the supposed ' plot,' like the English Popish Plot of 1678, was largely the creation of popular panic fomented by deliberate fraud.

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colony¹—preserved much of its old Dutch spirit and character; ² though by that time the general change which was coming over the whole province was marked by the fact that “most of the young people now speak principally English, and go only to the English church, and would even take it amiss if they were called Dutchmen and not Englishmen.” ³ Yet twelve years after this another traveller, the English clergyman Arthur Burnaby, found that “more than half” of the inhabitants of the town of New York itself were Dutch—by which evidently he means of Dutch stock; though he adds significantly that as the population was made up “of different nations, different languages and different religions, it is almost impossible to give them any precise and determinate character.” ⁴ The latter point deserves special emphasis, because it was its cosmopolitanism which gave to the capital of the colony its distinctive place among American cities; however otherwise it might compare with Boston and Philadelphia, its only rivals, it was at least less provincial and more metropolitan than either of these. This was apparent even in the matter of religion. The English Church, established in 1692, remained indeed the state Church, though it was heartily detested by the majority of the people. But while this enjoyed all the advantages of Government support, other sects flourished; and the city in 1760 possessed, besides the Anglican Trinity Church and St George’s Chapel, “two Low Dutch Calvinist churches, one High Dutch ditto, one French ditto, one German Lutheran Church, one presbyterian meeting house, one quakers [*sic*] ditto, one anabaptists ditto, one Moravian ditto, and a Jews Synagogue.” ⁵ The influence

¹ *Op. cit.*, vol. ii, p. 95.

² *Ibid.*, vol. ii, p. 110.

³ *Ibid.*, vol. i, p. 210.

⁴ *Op. cit.*, pp. 61–67. Even in modern New York the prevalence of the high stoop (*stoep* = step) in the older residential quarters reminds us of the original Dutch architecture of the city.

⁵ Burnaby, *op. cit.*, pp. 61–67. Kalm had been struck by the number of Jews in the town of New York and throughout the province, and the freedom under which they lived: they were “allowed to keep shops,” enjoyed “all the privileges common to the other inhabitants,” and were in general very prosperous, many of them having “great country seats of their own property” (*op. cit.*, vol. i, p. 191).

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of its cosmopolitanism was also evident in the manners of the city; the frequency of its public holidays; its prevailing gaiety and pronounced taste for amusements.¹ It was, indeed, a thriving and wealthy centre of colonial life, carrying on "a more extensive commerce than any other town in the North American provinces,"² and though smaller than either Boston or Philadelphia, excelling these in "its fine buildings" and "its opulence."³ Its streets were "paved and very clean," but "in general" they were "narrow," though there were a few which were "spacious and airy, particularly the Broad Way."⁴ But with all its prosperity and alertness it lagged intellectually far behind the capitals of Massachusetts and Pennsylvania. Though its public library, founded in 1700, was the first institution of the kind in America, it exhibited little or no interest in science or art; and in literature its record is a blank. Education too was backward throughout the colony; its schools were poor; and it was not till its reorganization after the Revolution that its one seat of higher learning, King's College, attained any importance.⁵

SOCIAL LIFE IN NEW ENGLAND

Virginia in the South and Massachusetts in the North were, in Lowell's phrase, the "two great distributing centres of the English race" in America, and in view of the fundamental differences which existed between them in nearly all important respects—in the character and aims of their first settlers, the circumstances of their planting, their climatic conditions and resulting modes of life—we have no difficulty in understanding the striking contrast which they presented throughout colonial times.

The great object of the Puritan founders of Massachusetts

¹ The first theatre in America was established in Beekman Street, without serious opposition from the authorities.

² Kalm, *op. cit.*, vol. i, p. 198.

³ *Ibid.*, vol. i, p. 193.

⁴ Burnaby, *op. cit.*, p. 61.

⁵ This was opened in 1754, with ten students, in the vestry of Trinity Church. The corner-stone of the college building was laid in 1756. On its reorganization in 1784 it became Columbia College.

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was, as we have seen, the establishment of a theocracy, and they so far succeeded in their endeavours that the Church was the centre of their state and religion the basis of their society. One important result of this was the formation of a kind of ecclesiastical oligarchy. In a sense, of course, their Church system was democratic, for each minister was elected by his own congregation and held his position subject to its approval. The clergy, therefore, did not constitute a caste apart, like the clergy of the Church of England. Yet so immense was the influence which they wielded through their piety, their learning, and their intellectual supremacy that for many years they were in fact a greater power in the community than the civil authority itself. When difficult problems arose, indeed, it was the invariable practice of the governor and his assistants to consult the chief ministers of the colony. To speak evil of a minister was as seditious as to speak evil of a magistrate.

During the great period of Puritan ascendancy—that is, from the foundation of the colony till well toward the close of the seventeenth century (and it is of this period only that I am now speaking)—religion was the dominant element in Massachusetts life. It is very difficult for us to-day to realize how completely it absorbed the thoughts of the people, how all their secular interests were subordinated to it, how it interpenetrated their existence down to its minutest details. The Sunday sermons and the Thursday lectures were for the faithful Puritan the great events of the week; for two or three hours at a stretch¹ he followed with unflagging

¹ It has been well said that the Puritan preacher could exhaust everything except the patience of his audience. "Then Mr Torrey stood up and pray'd near Two Hours, but the time obliged him to close to our regret, and we could gladly have heard him an Hour longer," is the statement of a Harvard student, writing of a day of prayer in 1696 (Sibley, *Harvard Graduates*, vol. i, p. 566). Winthrop mentions an occasion when the Rev. Thomas Hooker was seized with indisposition in the pulpit and had to stop in his discourse; "and so went forth, and about half an hour after returned again, and went on to very good purpose for about two hours" (*History of New England*, vol. i, p. 304). It is on record that at his own ordination service the Rev. Cotton Mather prayed an hour and a quarter and preached for nearly two hours.

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attention, notebook in hand, all the involutions of the preacher's elaborate arguments, his learned exegesis of points of doctrine, his concatenated array of texts ; and what he carried away with him provided ample material for meditation and discussion in the interval between one service or lecture and the next.

This incessant preoccupation with the unseen and the eternal profoundly affected the whole tone of the colony's life. The New England Puritan may be described as an extreme development of the Old World Puritan type, whose characteristics were exaggerated and stiffened in him under the influence of an inhospitable climate and the hardships and privations of his existence. His religious convictions were intense ; his earnestness was terrible ; he was conscious that he walked " ever in " his " great Task-Master's eye." But his religion was of that grim and austere kind which threw darkness rather than light upon his pathway ; it was, in Professor James's admirable phrase, a religion of " chronic anxiety." Deep and strong as was his faith, it brought him little in the way of peace or consolation ; on the contrary, it induced a morbid condition of mind, a hypersensitiveness of conscience, and a habit of persistent self-examination in regard even to the most trivial things which is hardly distinguishable from systematic self-torture. The writings of the early historians, and even more the diaries of the period, furnish painful evidence of the atmosphere of heavy gloom which surrounded the seventeenth-century New England Calvinist, of the unspeakable terrors by which he was daily beset, his spiritual struggles, his frequent spasms of despair regarding his salvation. The sermons to which he listened enthralled dwelt upon God's undying wrath, the agonies of the Last Judgment, the sufferings of the damned. His favourite poem discoursed at large on the same themes :

They wring their hands, their caitiff-hands,
And gnash their teeth for terror ;
They cry, they roar, for anguish sore,
And gnaw their tongues for horror.

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But get away without delay,
Christ pities not your cry ;
Depart to hell, there may you yell,
And roar eternally. . . .
For day and night in their despight,
Their torment's smoke ascendeth ;
Their pain and grief have no relief,
Their anguish never endeth. . . .
They live to lie in misery,
And bear eternal wo ;
And live they must while God is just,
That he may plague them so.¹

Possessed by such ideas as these, the Puritan regarded the whole of human existence in so stern and militant a spirit that he could find no place in his scheme of things for its transitory pleasures. On one occasion a well-known clergyman, the Rev. Thomas Parker, hearing some young people laughing rather loudly in a room beneath his own, descended upon them with the ominous words, "Cousins, I wonder you can be so merry unless you are sure of your salvation."² An incident like this illustrates more vividly than pages of mere general description the corrosive power of the Puritan's creed upon the texture of ordinary life. But perhaps its effect may best be measured by its influence upon children. "Two of my children," Cotton Mather records, "have been newly scorched with gunpowder, wherein, though they have received a merciful deliverance, yet they undergo a smart that is considerable." So much for what,

¹ *The Day of Doom*, by Michael Wigglesworth, published about 1662. This lurid and crudely realistic Puritan *Inferno* scored an instant and immense success, nearly the whole of the first edition of 1800 copies being sold out within a year. Incidentally, it is interesting as showing that the true Calvinist actually exulted in the torments of the lost, the knowledge of which was even supposed to add a subtle zest to the happiness of the elect in heaven. And yet, if we are to accept Cotton Mather's account of him, Wigglesworth was a gentle and kindly man, who not only preached "twice or thrice in the week," but was conspicuous for his diligence in "visiting and comforting the afflicted, and attending the sick, not only in his own town but also in all those of the vicinity." Truly, as George Eliot says, "the tides of the divine life in man move beneath the thickest ice of theory."

² Mather, *Magnalia*, vol. i, p. 487.

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in any normal circumstances, would have been an unimportant domestic event. But then follows the terrible 'application': "I must improve this occasion to inculcate lesson of piety upon them, especially with relation to their danger of everlasting burnings."¹ If such were the method by which the children of New England were habitually instructed in religion, can we wonder at the results? We read of a boy of fourteen who, though "a dutiful child," became so "humbled and broken for his sins" that he went about "mourning and languishing daily,"² and of little girls of five who, driven into hysterical frenzy by sheer terrorism, were thereupon paraded as pre-eminent examples of infant piety.³ Here is an entry made when a boy by one of the Mather family, Nathaniel: "Of the manifold sins which I was then guilty of, none so sticks upon me as that, being very young, I was whittling on the Sabbath Day; and for fear of being seen, I did it behind the door. A great reproach to God." Still more illuminating and distressing is the account given by Judge Sewall ('the American Pepys') of the spiritual agony of his daughter Betty. One day, "a little after dinner," the child—she was nothing more—"burst into an amazing cry." Asked the reason, she "at last said she was afraid she should goe to hell; her sins were not pardoned." Certainly the New England children must have been made of stout stuff to keep their health and sanity under the strain of the fearful religious discipline to which they were daily subjected.

The religion which thus permeated the private lives of the Massachusetts Puritans also left a deep impress upon the legislation of the colony. Laws were severe, and they were severely administered. There were no fewer than fifteen capital crimes on the statute book, and these included blasphemy and the cursing of parents by anyone over sixteen years of age. Conceiving that their functions embraced anything and everything that appertained to the moral

¹ Quoted in Peabody's "Life of Mather," in Sparks, *American Biography*, vol. vi, p. 194.

² Winthrop, *History of New England*, vol. i, p. 212.

³ Mather, *Magnalia*, Book VI, chap. vii, Appendix, Ex. IV; Jonathan Edwards' works, vol. iii, pp. 265-269.

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welfare of the community—an error inherent in the theological system upon which they worked—the law-makers of Massachusetts did not limit their attention to those social offences of which jurisprudence rightly takes cognizance ; they sought to regulate individual conduct in accordance with their rigid ethical code. Hence there were stern enactments against card-playing and drinking healths ; against the wearing of long hair by men ; against hat-bands, belts, ruffs, beaver hats ; in the case of women against “ short sleeves whereby the nakedness of the arms may be discovered ” ; and in a word against every mode and variety of what was deemed “ wicked apparel.” The laws regarding the observance of the Sabbath were particularly comprehensive and rigorous. On that day all work, all pastime, all amusements, were forbidden, while non-attendance at church rendered the delinquent liable to fine, and, if persisted in, to severer punishment. The same paternalism was exhibited in the legislation of the other New England colonies ; the so-called Blue Laws of Connecticut providing a famous case in point.

Another aspect of New England Puritanism was its rank intolerance. Those men of God who, at immense personal sacrifice, had ventured far into the wilderness under compulsion of their ideals had purchased their own liberty of conscience at a great price ; but convinced that they alone were right, and that all who differed from them were fatally and culpably wrong, they refused to extend a similar liberty to others. Heresy, being in their view not merely an intellectual error but a crime against their theocracy, entailed such civil penalties as fines, imprisonment, whipping, banishment, and sometimes death, as well as excommunication by the Church. Persecution, therefore, seemed to them a perfectly legitimate method of preserving their state from the perils of apostasy. Hence the wrath with which they drove Roger Williams and Ann Hutchinson from their midst. Hence their ferocious treatment of the Quakers a little later, during the governorship of “ the severest Puritan of all who laid the rock-foundations of New England,” ¹ John Endicott.

¹ Hawthorne, “ The May-Pole of Merry Mount,” in *Twice Told Tales*.

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The most appalling outburst of religious bigotry and fanaticism in New England was, however, the great Witchcraft Delusion, which from February to September 1692 kept the little Massachusetts town of Salem, the centre of the mania, in a state of panic. Though trouble had already been brewing for some years, the tragedy definitely began with the concocted stories of a few neurotic girls, who accused three women of having bewitched them; but "it was the foolish breath of Cotton Mather and others of the clergy that blew the dying embers of the ghastly superstition into a flame."¹ During the reign of terror which followed nineteen persons, fourteen of whom were women, were hanged, while one, Giles Corey, a man of over eighty, refusing to plead, was pressed to death for contumacy. After this the excitement began to subside, and a revulsion of feeling set in; though in January 1693 three more persons were condemned to death, no further executions took place; and before long all the suspects awaiting trial at Salem, Boston, Cambridge, and Ipswich, to the number of nearly 150, were released from prison. Samuel Parris, a clergyman who had played a prominent part in the persecutions, was later dismissed by his congregation; Samuel Sewall, one of the judges, made public confession of his guilt in the Old South Meeting-house in Boston; the General Court in 1697 ordered a day of fasting and prayer for what had been done in "the late tragedy raised among us by Satan"; and even the stiff-necked and inflexible Cotton Mather, though at first he made a resolute attempt to revive the failing fire, ultimately admitted that there had been "a going too far in that affair."²

In dealing with this riot of superstition we must, of course, be careful to keep it in its proper historical perspective.

¹ Lowell, "New England Two Centuries Ago," in *Among my Books*, first series.

² The literature of the Salem Witchcraft Delusion is very large. Among contemporary books the most important are Cotton Mather's *Late Memorable Providences relating to Witchcraft and Possession*, 1685, and *Wonders of the Invisible World*, 1692, and Robert Calef's *More Wonders of the Invisible World* (an attack upon the superstition), 1700. The fullest account of the whole lamentable business is Charles W. Upham's *History of Salem Witchcraft*, two vols., 1867.

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It was not a unique phenomenon ; it was, on the contrary, merely a particular manifestation of a horrible theological infatuation which was still common in the most civilized countries of Europe, and which, indeed, was checked only by the rising scepticism of the eighteenth century. There were, however, various local reasons for the outbreak of fanaticism in Massachusetts, some of which are admirably set forth in the following passage from Lowell :

“ The Puritan emigration to New England took place at a time when the belief in diabolic agency had been hardly called in question, much less shaken. The early adventurers brought it with them to a country in every way fitted, not only to keep it alive, but to feed it into greater vigour. The solitude of the wilderness (and solitude alone, by disfurnishing the brain of its commonplace associations, makes it an apt theatre for the delusions of the imagination), the nightly forest noises, the glimpse, perhaps, through the leaves of a painted savage face, uncertain whether of red man or devil, but more likely of the latter, above all, the measureless mystery of the unknown and conjectural stretching away illimitable on all sides and vexing the mind, somewhat as physical darkness does, with intimation and misgiving—under all these influences whatever seeds of superstition had in any way got over from the Old World would find an only too congenial soil in the New.” ¹

To these general influences behind the Salem Delusion two others of a more special character have to be added. In the first place, it was a widely accepted theory throughout New England that some of Satan's most powerful legions, driven out of Europe, had sought refuge in the wilds of America, where they had made common cause with the heathen aborigines, and that witches were among the chosen agents of the Prince of Darkness in his campaign for the destruction of the kingdom of Christ as represented by the New England theocracy. This theory naturally helped to intensify the feeling aroused by the witchcraft peril. Then secondly, the direct influence of the clergy, and notably, as

¹ “ Witchcraft,” in *Among my Books*, first series.

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we have seen that Lowell himself recognized, of Cotton Mather, must be borne in mind. In part their activity in stimulating the panic of the populace was due to their own credulity and theological prepossessions. But in part also it was inspired by their sense that the temper of their little world was changing, that the stern old faith was beginning to lose ground, and that in consequence their own long unchallenged prestige was on the wane. It was the chief object of their efforts, therefore, to bring about such a religious revival as would at once restore the old faith and enable them to recover their power. But in this they overreached themselves, for the reaction which followed strengthened the very movements which they had hoped to check.

The Salem Witchcraft episode, then, may be said to mark the close of the first period of Massachusetts history—the period of the domination of Puritanism in its severest form—and the beginning of a new order of things. To this transformation many factors contributed; among them the widening of interests with the increase of the population; the growing influence of industrial and material pursuits; the abolition by the charter of 1689 of the Church-membership test for the franchise; and the introduction of fresh modes of thought and habits of life by the royal governors and their officials, who were almost invariably members of the Anglican Church and were often connected with the English aristocracy.¹ Zealous supporters of the original theocratic *régime* fought hard against the new spirit. Already, as far back as 1647, that rough, violent, and amusing writer Nathaniel Ward had fulminated against the doctrine of toleration as an invention of the Evil One: “poly-piety,” he roundly declared, “is the greatest impiety in the world.”² Michael Wigglesworth wrote a poem, “God’s Controversy with New England,” in which he describes his country lapsing into sin and punished by Jehovah for its

¹ Many entries in Sewall’s *Diary* show how deeply the influence of these representatives of worldliness upon the Puritans themselves was deplored by men of the older school.

² *The Simple Cobler of Aggawam*, pp. 3-12.

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backsliding; and his last thoughts for the future were clouded with gloom, especially in regard to the

young brood and rising generation,
Wanton and proud, ripe for God's indignation.

The Rev. Increase Mather, who had "known what New England was from the Beginning," bewailed the "degeneracy" of Boston, where so much freedom of thought and expression was allowed that newspapers were permitted to "abuse the Ministers of Religion, and many other Worthy Persons, in a Manner, which is intolerable."¹ And one chief purpose of Cotton Mather's long and laborious life was to bring New England back to the strait old paths of Puritan righteousness; it was in part to this end that, as we have seen, his treatises on witchcraft were directed; and this was the inspiration of his greatest work, the *Magnalia Christi Americana* (1702), which was written "with a just fear of encroaching and ill-bodied degeneracies" and in the hope of preventing "the loss of a country so signalized for the profession of the purest religion."²

But the efforts of these reactionaries were foredoomed to failure, for the time-spirit was at work, and they were merely

¹ See extract from his "Advice to the Publick" (1721), in *American History told by Contemporaries*, ed. Hart, vol. ii, pp. 261-262. The special object of his attack was the *New England Courant*, the second of the Boston newspapers, then just founded by Benjamin Franklin's elder brother, James.

² Book I, Introduction. The remarkable Mather family was for many years the ruling family among the New England clergy. The dynasty was founded by Richard Mather (1596-1669), who in 1635 was driven out of England for Nonconformity and made a great mark as minister of the church at Dorchester. Upward of eighty of his descendants were more or less prominent in the ministry. Of his five sons, all clergymen, the most famous was the youngest, Increase (1639-1723), who was for sixty years pastor of the North Church in Boston and for sixteen president of Harvard College, and who also played a very notable part in the politics of the colony. He married a daughter of another early New England giant, the Rev. John Cotton, whose name was given to one of his sons, Cotton (1663-1728), in whom the well marked peculiarities of the family culminated and with whom its influence began to decay. A perfect monster of erudition and a prodigy of industry, this extraordinary man preached thousands of sermons and published 383 books and pamphlets. A bigoted, vain, self-righteous man, he was, however, less an epitome of New England Puritanism (as he is sometimes called) than an incarnation of its worst characteristics.

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doughty champions of a cause already lost. Massachusetts remained Puritan in grain; the great body of its people adhered to the old traditions; they continued to be God-fearing, sober, and hard-working as their fathers and grand-fathers had been before them; and much of the old asceticism survived, as in the extreme Sabbatarianism which down to the Revolution astonished visitors from other parts of the world.¹ But as we pass from the seventeenth into the eighteenth century we are none the less conscious that the atmosphere of the colony has changed. It has become relatively secular, liberal, and progressive.

Other elements which had combined in the Puritan's character with his religious intensity and moral fervour, and which had never been held entirely in check even by these, now came to the front. Visionary as the New Englanders were, they were at bottom "shrewd practical men, busy about the affairs of the world, and earnest to build their New Jerusalem on something more solid than cloud."² The substantial development of the great New England colony during this second period of its history is sufficient evidence of those sound Yankee qualities for which they soon became famous. With its extensive commerce, its shipbuilding, its navigation, and its whale and cod fisheries, Massachusetts steadily increased decade by decade in wealth and prosperity, and by the time of the Revolution it was well to the front

¹ Writing in 1750, Francis Goelet, a merchant of New York, reports that "in Boston they are very Strict Observers of the Sabath day, and in Service times no Persons are allow'd the Streets but Doctors [:] if you are found upon the Streets and the Constables meet you they may compell you to go either to Curch [*sic*] or Meeton [*sic*] as you Chuse" (see extract from Goelet's "Journal" in *American History told by Contemporaries*, ed. Hart, vol. ii, p. 63). Another traveller, Bennett, states that no one was allowed to "take the air on the Common" on the Lord's Day, and that "if two or three people, who meet one another in the street by accident, stand talking together, if they do not disperse immediately on the first notice, they are liable to fine and imprisonment" (quoted in *Memorial History of Boston*, vol. ii, p. 16). I may add, as another example of the persistence of Puritanic influences, that no theatrical performances were permitted even in Boston till after the Revolution.

² Lowell, "New England Two Centuries Ago," in *Among my Books*, first series.

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among the American colonies. As "all the conditions of New England life tended to compress the population into small areas,"¹ the evolution of the town system was a chief feature of Massachusetts history. Even the agricultural community congregated into groups, the focus of which was the village or small town, and larger towns, whose principal activity was trade, were more numerous than anywhere else on the continent. Meanwhile, by the middle of the eighteenth century, the capital, Boston, was recognized as "the Metropolis of North America,"² and it was also "well known to the commercial world of England as one of the most important places in the British dominions."³ By that time too it had firmly established its position as the great intellectual centre of colonial life.

This leads us to another noteworthy characteristic of the social life of Massachusetts—the high value which was attached to education. Among the leaders of the great Puritan immigration there was a remarkable proportion of learned men, to whom "universal education" seemed "a universal necessity,"⁴ and in whose judgment the school-house, where children should be taught to read the Scriptures for themselves and thus baffle the designs of "that old deluder Sathan," was second in importance only to the church. Scarcely, therefore, had the pioneers provided for the bare necessities of life before they began to turn their attention in earnest to the educational needs of their little society. As early as 1642 parents were made responsible for the elementary instruction of their children. In 1647 the common school system was introduced under a law which "required every town having fifty householders or more to appoint some one to teach children how to read and write, and every town having a hundred householders or more to establish a grammar

¹ Tyler, *Provincial America*, p. 322.

² Goelet, *op. cit.*

³ H. C. Lodge, *Boston*, p. 104.

⁴ Tyler, *History of American Literature during the Colonial Times*, vol. i, p. 98. "It is probable that between 1630 and 1692 there were in New England as many graduates of Cambridge and Oxford as could be found in any population of similar size in the mother country" (*ibid.*, vol. i, p. 98).



THE OLDEST BUILDINGS OF HARVARD
From a print in the possession of the Massachusetts Historical Society
Mansell & Co., Ltd.

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(Latin) school.”¹ In the meantime, in 1636, only sixteen years after the *Mayflower* had brought the first of the Pilgrims to New Plymouth, the Massachusetts Assembly granted £400 toward a college to be built at Newtown (Cambridge). Two years later a young minister of Charlestown, the Rev. John Harvard, left by will his library of 300 volumes and the sum of £779 “for the creating of the college,” which was then chartered under his name. Elsewhere in New England, except in Rhode Island, a public school system similar to that of Massachusetts had been adopted before the middle of the seventeenth century, though it was not till 1701 that the second of the great New England institutions of higher learning came into existence—the Collegiate School of Connecticut, afterward renamed Yale College.²

Though one result of this deep interest in education was the formation of a distinct scholarly class, literary activity in New England was necessarily confined within very narrow limits. Most of the best intellect of the time expended itself upon theology and controversy, as in the innumerable treatises and pamphlets of the Mathers and in Nathaniel Ward’s slashing polemic, *The Simple Cobler of Aggawam*; though in the eighteenth century the transition from theology to philosophy was marked by the masterly metaphysical essay, *The Freedom of the Will*, by Jonathan Edwards of Connecticut, by far the most acute and powerful thinker produced by America during colonial times. History, it is true, was also cultivated in the form of local annals, like those of William Bradford, John Winthrop, and Edward Johnson. But pure literature had little chance of flourishing among a people so Puritan that they condemned all art as a snare of the devil, and so utilitarian that they regarded it as simple waste of time.³ The famous *Bay Psalm Book* of 1640, the first book printed in America, and the joint production of

¹ Tyler, *Provincial America*, p. 324.

² Established first at Saybrook, this was removed in 1717 to New Haven. It was then rechristened in honour of Elihu Yale, a Boston merchant, who gave to it money and books.

³ A further check on literature was the restriction of the Press under the severe licensing system.

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"the chief divines of the country," exhibits in its atrocious doggerel a depravity of poetic taste which is almost incredible.¹ Nor, as we have seen, were the aesthetic qualities of Michael Wigglesworth, the Poet Laureate of New England Puritanism, much more respectable. Only one verse-writer of the slightest promise appeared in Massachusetts during the seventeenth century, Mrs Anne Bradstreet (1613-72), daughter of Governor Thomas Dudley and wife of Governor Simon Bradstreet, a volume of whose poems, under the title of *The Tenth Muse lately sprung up in America*, was published in London in 1650. After this the verse of the colonial period is represented only by crude popular productions, racy of the soil, but without any claims as literature, and by colourless imitations of English models—first of the seventeenth-century 'metaphysical' poets, and later, as the vogue of these passed away, of the writers of the formal Augustan school. Many years were yet to elapse before, under the influence of a generous cosmopolitan culture and the stir of fresh and liberal ideas, a rich and noble literature was to arise out of the hard New England Puritan soil.

¹ A short example will suffice to show that this statement does not err on the side of over-severity. This is our 'chief divine's' rendering of the first five verses of Psalm cxxxvii :

"The rivers on of Babilon,
there when wee did sit downe ;
Yea, even then wee mourned when
we remembered Sion.
Our harp wee did hang it amid
upon the willow tree ;
because there they that us away
led into captivitee,
Required of us a song, and thus
askt mirth as waste who laid,
Sing us among a Sion song,
unto us then they said.
The Lord's song sing, can we, being
in stranger's land ? then let
lose her skill my right hand if I
Jerusalem forget."

After this the reader is asked to lay to heart the following sentence from Richard Mather's preface to the volume : " If, therefore, the verses are not always so smooth and elegant as some may desire or expect, let them consider that God's altar needs not our polishings."

BOOK II

THE REVOLUTION AND THE EARLY REPUBLIC

TO 1815

CHAPTER I

THE REVOLUTION: ITS CAUSES AND OUTBREAK

DOWN to the time of the Seven Years War the feelings of the colonists toward England were curiously compounded of loyalty and disaffection. England was for them the mother country; to her they were still bound by many ties of sentiment and association; they regarded her with respect and admiration; they were proud of her greatness, and were always ready to espouse her cause against her foreign foes. While unconsciously, as we can now see, they had long been preparing themselves for the coming rupture, they had never seriously entertained the idea of separation, and in fact to the last disclaimed it;¹ all they demanded was such a measure of freedom as would permit their own natural development; and this they believed they could secure without any fundamental change in their relationship with the central power.² At the same time such independence as they enjoyed—and by the middle of

¹ In his evidence before Parliament in 1766 Franklin declared that the colonies had "not only a respect but an affection for Great Britain" (works, vol. iv, p. 169); and even Hutchinson, the loyalist governor of Massachusetts, while admitting that there were vague speculations regarding the possibility of an American empire in some far distant future, asserted that as yet there was no "plan or even desire for independency" (*History of Massachusetts Bay*, pp. 84, 85).

² It must be admitted, however, that the evidence on this point is rather contradictory. See, e.g., the quotation from Kalm on pp. 169-170.

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the eighteenth century they "had become the freest people in the world"¹—made them extremely sensitive to every interference with their rights and privileges, and if their attitude toward England continued to be filial, it was the attitude of children who, having long outgrown their leading-strings, chafed under every abuse of paternal authority. Many, therefore, as were the social, political, and economic interests which still linked them to the homeland, these were after all weak "as compared with an irrepressible desire for self-growth."² Hence, such reminders of their subjection as the frequent exercise of the royal veto—an instrument of prerogative which had never been employed in English legislation since the reign of Anne—and the existence of the Acts of Trade, which they resented as crippling their commerce and hindering their prosperity, were standing causes of irritation and unrest. Moreover, the colonies "were advancing to new political ideals faster than the mother country,"³ and if the resulting divergency in disposition and aims had no practical bearings at the moment, its influence was certain to make itself felt as soon as the British Government abandoned Walpole's policy of leaving the colonies very much alone and entered upon a course of active interference with them.

INFLUENCE OF THE SEVEN YEARS WAR

Such were the relations of the colonies with England at the outbreak of the Seven Years War, which forms the turning-point in colonial history. This momentous struggle profoundly affected the temper of the colonies in many ways, but the "most significant" of all its results was, as Professor Howard has said, "its influence in forcing out the already

¹ Howard, *Preliminaries of the Revolution*, p. 44.

² Van Tyne, *The American Revolution*, pp. 5, 6.

³ Van Tyne, *op. cit.*, p. 6. As this writer well points out, "the seeds of the Revolution" had in fact been sown long before by the English kings themselves when, "in their zeal to get America colonized, they had granted such political and religious privileges as tempted the radicals and dissenters of the time to emigrate to America," while the more conservative and conforming classes were left at home.

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nascent sentiment of national unity.”¹ Hitherto that sentiment had, indeed, been only nascent; preoccupied with their own individual concerns and often disturbed in their dealing with one another by jealousies and misunderstandings, the various colonies had felt much more warmly toward their common mother country than toward their neighbours; and any effective co-operation among them, even for military purposes, had thus far been impossible.² The Albany Congress, held on the eve of the war, had shown, as we have seen, that the colonies were beginning to consider themselves, in Franklin’s words, “not as so many independent states, but as members of the same body,” and they emerged from the war, not, indeed, as yet with anything approaching national self-consciousness, but with a much-deepened sense of their common interests and solidarity.

The most important direct political consequence of the war was, however, the elimination of France from the North American continent. The constant menace of French aggression had been one of the strongest bonds between the colonies and England, and so long as it existed the natural tendencies, on the one side toward increasing independence, on the other toward fuller and firmer control, had been held in check. Now that the danger was removed the inevitable results were soon apparent. The peculiar complexities and bearings of the tripartite relationship had already been perceived by sagacious observers. As early as 1748 the Swedish traveller Kalm had written: “I have been told by Englishmen, and not only by such as were born in America,

¹ *Op. cit.*, p. 16.

² Writing from his own observations in 1759 and 1760, the English traveller Burnaby expressed the extreme view that owing to their differences in character, manners, religion, and interests, the colonies, if left to themselves, would soon be in a state “of civil war from one end of the continent to the other.” Intense intercolonial jealousy was later adduced by Franklin to allay the fears of Englishmen who dreaded a union of the colonies against the British Government. “If they could not agree to unite for their defence against the French and Indians . . . can it reasonably be supposed there is any danger of their uniting against their own nation, which protects and encourages them, with which they have so many connections and ties of blood, interest and affection, and which, as is well known, they all love much more than they love one another?” (Works, vol. iv, pp. 41-42).

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but even by such as came from Europe, that the English colonies in North America, in the space of thirty or fifty years, would be able to form a state by themselves, entirely independent of Old England. But as the whole country which lies along the sea-shore is unguarded, and on the land side is harassed by the French in times of war, these dangerous neighbours are sufficient to prevent the connection of the colonies with their mother country from being entirely broken off. The English government has therefore sufficient reason to consider the French in North America as the best means of keeping the colonies in their due submission.”¹ When the Peace of Paris was signed “the French ministers consoled themselves . . . by the reflection that the loss of Canada was a sure prelude to the independence of the colonies,”² and on the same occasion the shrewd statesman Vergennes, then French minister at Constantinople, declared: “I am persuaded England will ere long repent of having removed the only check that could keep her colonies in awe. They stand no longer in need of her protection; she will call upon them towards supporting the burdens they have helped to bring on her; and they will answer by striking off all dependence.”³ In England too the change in the political situation brought about by the conquest of Canada was realized with equal clearness. “No sooner,” wrote an anonymous pamphleteer three years later, “were the French kites and the Indian vultures scared away than they [the colonists] began to strut and to claim an independent property to the dunghill. Their fear and their natural affection forsook them at one and the same time.”⁴ There were, indeed, not wanting politicians who, while peace was being negotiated, maintained that it would actually be in the interests of England to restore Canada to the French and as an alternative to retain Guadeloupe and the adjacent islands. “A neighbour who keeps us in some awe,” wrote one of these, “is not always the worst

¹ *Op. cit.*, vol. i, p. 207.

² Lecky, *History of England in the Eighteenth Century*, vol. iv, p. 6.

³ Quoted by Bancroft, *History of the United States*, vol. iii, p. 325.

⁴ *The Justice and Necessity of Taxing the American Colonies*, London, 1766, p. 7.

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of neighbours. . . . There should be a balance of power in America. . . . The islands, from their weakness, can never revolt ; but if we acquire Canada, we shall soon find North America too powerful and too populous to be governed by us at a distance.”¹ But these views were not accepted by any responsible statesman ; the Sugar Islands were restored to France, while Canada remained in English hands ; and precisely what Vergennes had foreseen came to pass.

The removal of France, then, left both the colonies and the parent state at liberty to reconsider their reciprocal relations and responsibilities, and in the new situation which had arisen through the war causes of dissension were soon created by the action of the central Government. The financial resources of Great Britain had been severely strained by the long struggle ; her national debt had been more than doubled ; the extension of her empire entailed an enormous increase in her military burdens ; and now it was deemed necessary to maintain a permanent army in America for the security of her possessions in that quarter of the world. In these circumstances the Government regarded it as a matter of simple justice that the colonies, which had benefited so greatly by the protection of the mother country, should now be required to contribute to their own defence. Moreover, the time seemed ripe to organize a more thorough system of control over the colonies and to strengthen the commercial ties which bound them to the empire. Hence the three lines of policy definitely adopted by George Grenville when he succeeded Lord Bute as Prime Minister in 1763—the rigorous enforcement of the Acts of Trade ; the permanent establishment in America of a portion of the British army ; and the raising by taxation of a revenue from the colonies for at least the partial support of the garrisons quartered upon them. These three measures, in Lecky’s emphatic phrase, “ produced the American Revolution.”² But already, before Grenville assumed office, the first of them had been put in operation ;

¹ This anonymous writer is supposed to be William Burke, a relative of Edmund. He figures in Goldsmith’s *Retaliation*.

² *Op. cit.*, vol. iv, p. 52.

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trouble had broken out in consequence ; and a protest against the policy of the British Government had been made which, " if not the opening, was at any rate the prelude of the Revolutionary drama." ¹

FIRST CONFLICT OVER THE NAVIGATION ACTS

The protective system which had grown up under the false economic theories universally accepted at the time, though it had been a perpetual source of annoyance and discontent, had been endured by the colonies partly because as administered it did not in fact interfere seriously with their commercial prosperity, and partly because, while they suffered from it in various ways, it secured to them a number of compensating advantages. As things then went it was neither unreasonable in principle nor oppressive in practice. All nations which held colonies endeavoured as a matter of course so far as possible to monopolize their trade, and it was admitted even by such a stout opponent of the system as Adam Smith that " though the policy of Great Britain with regard to the trade of her colonies " had been " dictated by the same mercantile spirit as that of other countries," it had, " upon the whole, been less illiberal than that of any of them," and that the restrictions imposed had " not hitherto been very hurtful to the colonies." ² It was, however, owing to the extremely lax administration of the Navigation Acts that the burdens of the protective system had not yet been more severely felt, for the enormous amount of illicit trade which the colonies had been permitted to carry on in defiance of them had in large measure deprived them of their significance. An entirely fresh complexion was therefore put upon the matter when the Government resolved that they should now be made effective. While such Acts remained on the statute book, it was argued, it was clearly absurd that they should be so continually evaded that—to cite a single illustration—" of a million and a half pounds of tea consumed annually in the colonies not more than one-tenth part was

¹ Howard, *op. cit.*, p. 70.

² *Wealth of Nations*, Book IV, chap. vii.

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sent from England,"¹ the remaining nine-tenths being smuggled. From the point of view of the British Treasury, too, the situation was equally unsatisfactory, for the cost of maintaining the commercial system far exceeded the profits derived from it.² It was in order to put an end to this anomalous state of things that the Government determined that the Acts should be strictly enforced. Such a sudden change of policy was, however, necessarily fraught with difficulty; illicit commerce had become almost a prescriptive right; and so strongly was it supported by popular opinion in the colonies, and especially throughout New England, that persons suspected of smuggling, even on a large scale, generally escaped conviction owing to the impossibility of obtaining evidence against them. Recourse was therefore had to the legal processes known as Writs of Assistance, whereby a general authority was given to custom-house officers to enter any premises—vessel, warehouse, store, or private dwelling—and make search for contraband goods. Such writs had existed in England since the reign of Charles II, and they had been introduced into Massachusetts as early as 1755; but though "many seizures were made," and "popular feeling was kept in a state of continual irritation,"³ no definite opposition was yet attempted to an instrument which was none the less regarded as obnoxious in itself and as easily liable to abuse.

Thus matters stood when George II died on October 25, 1760. Now, Writs of Assistance were valid only for six months after the death of the King, and the custom-house officers accordingly applied for new writs to take the place of those which would presently lapse. But when one such application was made to the Supreme Court at Boston by Charles

¹ Bancroft, *op. cit.*, vol. iv, p. 112.

² When Grenville came into office he "found on examination that the whole revenue derived by England from the custom-houses in America amounted to between £1000 and £2000 a year; that for the purpose of collecting this revenue the English Exchequer paid annually between £7000 and £8000; and that the chief custom-house officers appointed by the Crown had treated their offices as sinecures, and by leave of the Treasury resided habitually in England" (Lecky, *op. cit.*, vol. iv, p. 52).

³ Howard, *op. cit.*, p. 75.

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Paxton, surveyor of the port, some merchants of the city filed a petition against it. This brought the case before the Court. In the hearing, which took place on February 24, 1761, the Attorney-General, Jeremiah Gridley, appeared for the applicant, while the petitioners were represented by Oxenbridge Thacher and James Otis. It is the speech of the last-named which has made the occasion famous.¹ Gridley and Thacher confined themselves to technicalities, seeking the one to prove, the other to disprove, the legality of the writs in question. Otis, whose speech of five hours was not only an argument but also an impassioned oration, traversed the whole subject in its larger aspects and issues. He declared that the Writ of Assistance was "the worst instrument of arbitrary power, the most destructive of English liberty and the fundamental principles of law, that ever was found in an English law-book"; and that it represented an attempt to revive "a kind of power, the exercise of which, in former periods of English history, cost one King of England his head, and another his crown." He exposed, with the aid of some telling concrete examples, the abuses to which it readily opened the way, since in effect it placed "the liberty of every man in the hands of every petty officer." On constitutional principles he asserted that "no act of parliament can establish such a writ," for "an act against the constitution is void, an act against natural equity is void," and that as, in any case, no English statute applied to the colonies unless they were specifically mentioned in it, the existence of English Writs of Assistance could not be quoted as a precedent. Then, passing beyond the subject directly in hand he arraigned the entire commercial system as contrary to natural equity and denounced the Navigation

¹ Otis had been Advocate General of Massachusetts, but, unable to support the writs, he had resigned his position expressly that he might be at liberty to take the field against them. His whole course of action was afterward ascribed by his enemies to his intense animosity toward Hutchinson, the Chief Justice of the Court, who had then just been raised to the place on the Bench which had been promised to his (Otis's) father. That he may have been in part swayed by personal feelings is very possible; but even if this could be proved, the fact would be of no great importance. After all, a rigorous analysis of any human action seldom fails to reveal the presence of mixed motives.

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Acts as "a taxation law made by a foreign legislature without our consent."

So far as his immediate purpose was concerned his speech failed, for after some delay the writs under discussion were granted by the Court. Regarding its broader significance there has been and still is considerable difference of opinion. Writing more than half a century later, John Adams, who heard and took notes of it, declared that its effect was instantaneous and electrical; with his "torrent of impetuous eloquence"—so runs his account—the speaker "hurried away everything before him. American independence was then and there born; the seeds of patriots and heroes were then and there sown; . . . every man of a crowded audience appeared to go away, as I did, ready to take arms against Writs of Assistance. Then and there was the first scene of the first act of opposition to the arbitrary claims of Great Britain." ¹ Adams, however, was an old man when he wrote these oft-quoted words: his memory had become untrustworthy, and his recollections were evidently coloured by subsequent events; and his belief that "Mr Otis's oration . . . breathed into the nation the breath of life," and was in fact the beginning of the Revolution, though long accepted without demur by historians with a bias toward the personal and the dramatic, is now regarded as extravagant. On the other hand, it is possible that in their reaction against such picturesque exaggerations critics of the modern school have been inclined to minimize unduly the importance of what Otis actually accomplished. To suggest that he initiated the Revolution is manifestly fantastic. But by his bold and comprehensive attack upon the commercial system and the authority of Parliament he certainly hardened the feelings of the mercantile classes throughout New England against the Acts of Trade and "aided powerfully in the formation of public opinion." ²

¹ Works, vol. x, pp. 247-248. Adams was then a young barrister, and to his notes and to his later more amplified report of the speech we are almost entirely indebted for our knowledge of it.

² Howard, *op. cit.*, p. 82.

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The British Government was, however, entirely unaffected by the rising spirit of hostility among the colonists, of which Otis's speech was at least a sign and an expression, and when Grenville, for whom colonies were "only settlements made in distant parts of the world for the improvement of trade,"¹ came into power the consolidation of the commercial system was the first step in his American policy. The objectionable Molasses Act² was renewed and extended. The governors of the various colonies were called upon to help in the suppression of illicit trade. All revenue officers were sent back, with stringent orders, to their posts; English men-of-war were stationed off the American coast to intercept smugglers, and their commanders commissioned to act as customs officials; ships and goods were seized; and offenders against the Navigation Acts were summarily tried by Admiralty Courts without a jury. All these measures caused deep resentment in the New England colonies; particularly the Molasses Act, which threatened nothing less than the complete and swift destruction of their trade. But excitement over them soon merged in the greater excitement which followed the announcement of Grenville's intention to impose an entirely new scheme of taxation upon America.

THE STAMP ACT AND ITS RESULTS

This scheme was a corollary of the Government's determination to establish a permanent force of about 10,000 regular troops in the colonies for the purpose of guarding imperial interests in the event of a future war and of preventing any possible attempt on the part of France to recover Canada. The colonists, however, like the mass of Englishmen at home, were very strongly opposed to a standing army; now that the French menace had been removed they felt that they were fully able to protect themselves; and they were, moreover, convinced, and not without reason, that the real object behind the ostensible purpose of the Government in planting a British army among them was to reinforce the royal authority and

¹ Quoted by Bancroft, *op. cit.*, vol. iv, p. 113.

² See *ante*, p. 122.

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ensure the execution of the revenue laws.¹ None the less it seems fairly certain that they would have submitted on this particular question had not the proposal to establish the army been saddled with the provision that they should themselves be taxed for its support. In fairness to the Government it has, of course, to be remembered that their policy was not designed to involve any sacrifice of the colonies to the mother country ; no suggestion was ever made that they should be taxed to help England out of her financial difficulties ; nor were they to be asked to bear the entire expense, but only, it was estimated, about one-third of it, of the new military organization which was planned for their defence. But on the other hand it must equally be borne in mind that the colonies themselves were ready and willing to take their full share of the imperial burdens on condition that they should be allowed to do so on the old voluntary system of ' requisitions,' or grants of money for special purposes, hitherto accepted on both sides. The ground of their quarrel with the new policy lay in the fact that they regarded it as an unnecessary and unwarrantable innovation entailing the destruction of their ancient constitutional privileges. Under the commercial system Parliament had exercised unchallenged the power to impose tariff duties. But though a certain revenue had resulted from these by the way, the immediate object of such external taxation was the regulation of trade. Internal taxation as now proposed—taxation directly for revenue purposes and for such purposes only—was another and very different matter. It meant the violation of the right which the colonial assemblies had thus far possessed to control their own finances. It was upon this point, therefore, that the colonists took alarm, for they saw that the measure in question, though not in the least onerous in itself, was fraught with dangers to their liberties because it was so clearly

¹ Even Lecky, though he insists that the "primary object" of the Government was "the defence of the colonies and the maintenance of imperial interests," admits that "it is possible, and indeed very probable, that a desire to strengthen the feeble executive and to prevent the systematic violation of the revenue laws, was a motive with those who recommended the establishment of an army in America" (*op. cit.*, vol. iv, p. 57).

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part of the British Government's general design to bring them into complete subjection to its authority.

The form of taxation selected by Grenville as most convenient and effective was that of a system of stamp duties, and on March 10, 1764, he accordingly submitted to the House of Commons a series of preliminary resolutions, and announced his intention of embodying them in a Bill early in the following session. This long delay, which was condemned by many of his critics as a tactical mistake, was in fact dictated by considerations of expediency; for, extremely desirous to avoid any appearance of coercing the colonies, he told them that he had postponed the Bill for a year in order that they might have time to deliberate on the question themselves and in the event of their still demurring to the coming measure to make any alternative proposals of their own. Remonstrances were in due course lodged against the Bill; petitions were addressed to Parliament; and the agents of several of the colonies, among them Franklin, representing Pennsylvania, had an interview with Grenville in which they personally laid their case before him. But as no substitute was suggested except the old method of royal requisitions, their arguments and protests were of no avail, and on February 13, 1765, the Stamp Bill was introduced, imposing duties on newspapers, pamphlets, broadsides, college diplomas, wills, licences, insurance policies, and almost every kind of legal and commercial document. The debate which followed was short and unimportant; though a few Whigs spoke against the Bill, no one appeared to realize even dimly the gravity and scope of the issues raised by it; it went through all its stages without serious opposition from any quarter; on the 27th it passed the Commons and on March 8 the Lords; and on the 24th it received the royal assent by commission, the King at that time suffering from his first attack of insanity. The unseemly haste and the utter want of any statesmanlike grasp and foresight which thus marked the progress and completion of "one of the most momentous legislative acts in the history of mankind" ¹ deserve special emphasis. Professor Howard

¹ Lecky, *op. cit.*, vol. iv, p. 73.

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is certainly not guilty of exaggeration when he writes : " The arrogance and blind indifference with which the sentiments and petitions of the colonists were treated during the enactment of this fatal measure place the responsibility for the American Revolution squarely on the shoulders of the British government." ¹

The passing of the Stamp Act aroused no interest in England, where it was generally believed by those who gave any thought to the matter at all (and this was the view at first taken even by Franklin) that hostility to it in America would now subside. Events quickly proved, however, that the Government had entirely mistaken the temper of the colonies. As soon as news reached America that the Bill had become law the opposition which was already smouldering blazed out into a mighty flame.

The lead was given by Virginia, and in Virginia by a young country lawyer, Patrick Henry, who introduced in the House of Burgesses, to which he had only recently been elected, a series of bold resolutions in which it was declared that " the taxation of a people by themselves or by persons chosen by themselves to represent them . . . is the distinguishing characteristic of British freedom " ; that " the general assembly of this colony have the only and sole exclusive right and power to lay taxes and impositions upon the inhabitants of this colony " ; that " his majesty's liege people, the inhabitants of this colony," are therefore " not bound to yield obedience to any law or ordinance whatever, designed to impose any taxation whatsoever upon them, other than the laws and ordinances of the general assembly aforesaid " ; and that any person who should assert the contrary should " be deemed an enemy to his majesty's colony." ² Henry's

¹ *Op. cit.*, p. 136.

² Tyler, *Patrick Henry*, pp. 61-63. This was not the first time that Henry had unfurled the flag of revolution. In his earlier speech in the Parson's Cause (see *ante*, p. 138) he had denounced the King's veto of the Virginia Act of 1758 as a violation of the conditional compact between the monarch and his people and as an abuse of prerogative. The King, he then declared, had " degenerated into a tyrant and forfeited all right to his subjects' obedience."

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fiery opening speech created astonishment and dismay among the older and more conservative members of the House, who did their utmost to crush him. One incident connected with it keeps its place among the most familiar anecdotes of the Revolution. "Reaching the climax of a passage of fearful invective on the injustice and impolicy of the Stamp Act" the orator "said in tones of thrilling solemnity, 'Caesar had his Brutus; Charles the First his Cromwell; and George the Third . . . ' Here the orator was interrupted by cries of 'Treason! Treason!' from all parts of the house. When silence was restored, he finished his sentence with a masterly stroke :—' and George the Third may profit by their example. If this be treason, make the most of it.' " ¹ Notwithstanding the forces arrayed against him, Henry carried the day, and after a long and bitter debate his resolutions were adopted, though some of their more inflammatory passages were first carefully excised. In their original unamended form, however, they were widely circulated throughout the colonies, and gave, as General Gage, the British commander in America, wrote to Secretary Conway, "the signal for a general outcry over the continent." ²

It was on May 30 that the resolutions were finally agreed to. Ten days later—on June 8—the General Court of Massachusetts adopted a circular letter inviting the other colonies to send delegates to a congress to meet in New York "to consider of a general and united, loyal and humble representation of their condition to his Majesty and to the Parliament." The date fixed for the congress was the first Tuesday in October. During the interval agitation spread among the people, and open violence broke out in many places. In Boston the effigy of Andrew Oliver, who had been appointed collector of stamp duties, was paraded through the streets and burned, his house was attacked, and he was compelled to resign his office, while a few days later the residence of Governor Hutchinson was sacked, and he and his family were forced to fly for their lives. There was rioting, more or less serious, elsewhere in the colonies, and the stamp distributors,

¹ Tyler, *op. cit.*, pp. 64-65.

² *Ibid.*, p. 73.

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intimidated by the mob, resigned their positions to a man. In the meantime colonial merchants agreed together to order no more British goods, and lawyers to make no use of stamped paper; while organizations called 'Sons of Liberty'¹ sprang up all over the country pledged to resist the obnoxious Act by every means in their power.

Amid all these evidences of widespread popular excitement the Stamp Act Congress met on October 7,² and proceeded to draw up a series of declarations "respecting the most essential rights and liberties of the colonies" and "the grievances under which they labour, by reason of several late acts of parliament." Though the tone of this document is studiously moderate, it states the case of the colonies emphatically and without compromise. The position taken is that "it is inseparably essential to the freedom of a people, and the undoubted rights of Englishmen, that no taxes should be imposed on them, but with their consent," and that as "from their local circumstances" the colonies "cannot be represented" in the House of Commons, no taxes can constitutionally be laid upon them except by their respective legislatures.³ Furthermore, a protest is made against the

¹ The name was adopted from the phrase in which Isaac Barré had described the colonists as "sons of liberty" in his speech against the Bill in the House of Commons (Bancroft, *op. cit.*, vol. iv, p. 171).

² Nine colonies were represented: the colonies which did not send delegates being Virginia, North Carolina, Georgia, and New Hampshire. The non-representation of the first-mentioned three was due to the fact that the invitation to take part in the Congress was received when their legislatures were not in session.

³ In regard to the foundation principle of the colonists—"no taxation without representation"—a common argument of the supporters of the Government was that the colonies were "virtually represented" in the House of Commons, and were, in fact, in the same position as Leeds, Halifax, Birmingham, Manchester, and other large corporate towns, which did not return members to Parliament. This view was strongly put by Lord Mansfield in the course of the debates on the repeal of the Stamp Act: "There can be no doubt but that the inhabitants of the colonies are as much represented in Parliament as the greatest part of the people of England are. . . . A member of Parliament chosen by any borough represents not only the constituents and inhabitants of that particular place, but he represents the city of London, and all the commons of the land, and the inhabitants of all the colonies and dominions of Great Britain." The reply of the colonies to this contention is interesting, because it foreshadows the subsequent

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extension of the jurisdiction of the Admiralty Courts, the abrogation of trial by jury, and "the duties imposed by several late acts of parliament," which are specifically described as "extremely burthensome and grievous."¹ These declarations were then embodied in a petition to the King and memorials to both Houses of Parliament.

This dignified manifesto of the united colonies was, however, ignored, and on November 1 the Stamp Act came into force. At once the Government found itself faced by a critical situation. Throughout the colonies the Act was so universally disregarded that from the first it was nothing but a dead letter, while at home what would now be called the American boycott of British goods threw thousands of artisans out of work and threatened many manufacturers with ruin. The urgency of the American question was thus made clear to statesmen of both parties, even to those who had hitherto been indifferent to it. In the meantime Grenville, having quarrelled with the King, had given place to the Marquis of Rockingham, whose disposition toward the colonies was distinctly friendly. As leader of a powerful Opposition Grenville urged that not one inch of ground should be yielded to the clamours of the American malcontents, and he had a strong following among the Tories, who, exasperated by the unexpected resistance of the colonists, maintained that they should be coerced into obedience, even if coercion meant war. On the other hand Pitt denounced the whole American policy of the late ministry, adopting and restating the arguments of the colonists themselves regarding influence of the American struggle upon the reform movement at home. "That there are several towns, corporations, and bodies of people in England in similar circumstances as the colonies," wrote a New York pamphleteer, "shows that some of the people in England, as well as those in America, are injured and oppressed, but shows no right for the oppression. Those places ought to join with the Americans in remonstrances to obtain redress of grievances" (quoted by Bancroft, *op. cit.*, vol. iv, p. 199). Or, as Otis neatly put it, with reference to the continual argument from the unrepresented English towns, "Why ring everlasting changes to the colonists on the cases of Manchester, Birmingham, and Sheffield, who return no members? If these now so considerable places are not represented, they ought to be" (*Considerations on Behalf of the Colonists*).

¹ See *American History told by Contemporaries*, ed. Hart, vol. ii, pp. 402-404.

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ing their constitutional privileges and right of self-taxation. At length, notwithstanding the stubborn opposition of the King, the Stamp Act was repealed (March 1766), on the ground that its continuance "would be attended with many inconveniences, and might be productive of consequences greatly detrimental to the commercial interests of these kingdoms." This capitulation of the Government was, however, accompanied by the passage of a Declaratory Act asserting the "full power and authority" of the King and Parliament "to make laws and statutes of sufficient force and validity to bind the colonies and people of America, subjects of the crown of Great Britain, in all cases whatsoever." This meant that though the Government had yielded on one particular point it had done so from considerations of expediency only, and not as a matter of principle.

THE TOWNSHEND ACTS

The colonists had won a great victory, and in their rejoicings over it the threat implied in the Declaratory Act was overlooked by them; indeed, as Franklin had previously told the committee of the House of Commons, they would not concern themselves overmuch about Parliament's "resolutions of right" to tax them so long as such resolutions were not "attempted to be carried into practice."¹ But the better feelings which the repeal of the Stamp Act had generated were very short-lived. Before many months had passed the refusal of the Assembly of New York to furnish supplies for the British troops quartered in that colony gave rise to a fresh quarrel, while friction was caused in Massachusetts by the peremptory demand of the Government that the colonial legislatures should compensate persons whose property had suffered in the recent riots.

At this point the Rockingham Ministry fell, and as the new patchwork Ministry which was formed by Pitt and the Duke of Grafton included some of the best friends of America among British statesmen—Pitt himself, Conway, Shelburne, and Camden—the change augured well for pacification.

¹ Works, vol. iv, p. 176.

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Unfortunately, however, Pitt (now Earl of Chatham) was so seriously ill that he had soon to withdraw from public life, and the influence of the others was overbalanced by that of the clever but unprincipled Charles Townshend, the Chancellor of the Exchequer and leader of the Commons, who quickly seized the reins of power; and "from this time," as even Lecky acknowledges, "the English government of America is little more than a series of deplorable blunders."¹ Townshend, whose hostility to the colonies was fully shared by the King, the Court party, and a large section of Parliament, now determined that they should be brought completely under imperial control; and to this end he introduced three measures which were rapidly passed into law. The first of these suspended the insubordinate New York Assembly. The second set up a Board of Commissioners, endowed with very extensive powers, for the execution of the Navigation Acts. The third revived the scheme of taxing America under a new form. The colonists, it will be remembered, had denied the right of Parliament to impose internal taxation upon them. To avoid this difficulty Townshend had recourse to external taxation, and laid import duties on glass, red and white lead, paint, paper, and tea, the annual proceeds of which (estimated at £40,000) were to provide the salaries of his Majesty's governors and judges in America. But if Townshend had imagined that the colonists were to be deceived by his very transparent subterfuge he was quickly made aware of his mistake. They saw, of course, that while the new Act differed in form from the Stamp Act, it was the same in principle, since it was an Act for revenue purposes only, and that it therefore raised afresh the old constitutional question of their right to be taxed by their own representatives only. Moreover, it was evident that the new Act contained a further menace to their liberties, for it placed the judges and governors beyond the control of the assemblies. Once more, therefore, the spirit of opposition was aroused, but though popular feeling ran high and many remonstrances and petitions were sent across the Atlantic, there was for the

¹ *Op. cit.*, vol. iv, p. 105.



PATRICK HENRY
From an old painting



SAMUEL ADAMS
After a painting by A. Chappell

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present no repetition of the open violence of two years before. At the moment the temper of the colonies was well expressed in the *Farmer's Letters* of John Dickinson of Pennsylvania, who, while urging the people to "exert themselves" in defence of their rights, insisted that the cause of liberty was "of too much dignity to be sullied by turbulence and tumult."

In this new crisis the Massachusetts Assembly led the way to organized action by sending a circular letter (prepared by their clerk, Samuel Adams) to the other colonial assemblies inviting them to join in concerted measures to obtain redress of their grievances (February 1768). Just a year before this Townshend had died of fever, "leaving to his successors the legacy of his disastrous policy in America,"¹ and the new ministry of Lord North, the tool of the obstinate and narrow-minded King, composed as it was of strenuous supporters of Parliamentary supremacy over the colonies, at once resolved on coercion. The Massachusetts Assembly was commanded to recall its letter and the other assemblies to treat that "seditious" document "with the contempt" which it deserved; and as the legislatures of Massachusetts, Maryland, South Carolina, Georgia, and Virginia refused to obey, they were dissolved (April 1768). This action still further inflamed popular feeling, and a great outcry was raised throughout the colonies that the Government was determined not only to destroy their constitutional privileges, but also to forbid their joint action and even their right of petition. Lord North, however, adopted a high tone in dealing with the growing trouble, and when a movement began among the Whigs for the repeal of "the late paper and glass act" his decisive reply was: "I hope we shall never think of it till we see America prostrate at our feet." The Government, therefore, was now committed to the task of subduing the colonies by force; troops were sent to Boston, which had once more become the scene of rioting; and an obsolete statute of Henry VIII's time was revived for the purpose of empowering the authorities to bring to England

¹ Lecky, *op. cit.*, vol. iv, p. 115.

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for trial any person in the colonies accused of treason. The latter measure, which "added a new and very serious item to the long list of colonial grievances,"¹ caused a violent outbreak of indignation; while the attempt to intimidate the agitators by the display of armed force led to results which in the circumstances were inevitable. Stimulated by the quarrel which the presence of the troops provoked between the governor and the Assembly, the feelings of the populace against these troops grew more and more bitter during the winter of 1769-70, and on March 5 a collision occurred between a small guard of soldiers and a crowd of men and boys in which five persons were killed and six injured. The immediate responsibility for this incident (which, though trivial in itself, was quickly magnified by popular imagination into 'the Boston Massacre') undoubtedly rests with the mob;² but it none the less had the natural effect of increasing the hostility of the Bostonians against the military. The next day a town-meeting, under the leadership of Samuel Adams, demanded the removal of the troops, and after some procrastination on the part of Governor Hutchinson they were actually withdrawn from the city and stationed on an island in the harbour.

Only a month after this Lord North, eating his proud words, carried through Parliament the repeal of the Paper and Glass Act. The motives of the Government in once more retreating from the impossible position in which they had placed themselves were of a purely practical character; the duties levied under the Act amounted after all to only about £16,000, which barely defrayed the cost of their collection; while the non-importation policy adopted by colonial merchants was again producing a serious effect on English trade. But though all the other duties were now cancelled the Government was guilty of the almost incredible

¹ Lecky, *op. cit.*, vol. iv, p. 124.

² See the account of it by an eyewitness, John Tudor, in *American History told by Contemporaries*, ed. Hart, vol. ii, pp. 429-431. The soldiers were afterward tried before a Boston jury and ably defended by two prominent leaders of the patriotic party, John Adams and Josiah Quincy. Two were found guilty of manslaughter; the remaining six were acquitted.

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folly of excepting the tax on tea. This exception they made merely to uphold the doctrine of the Declaratory Act and to reassert the right of Parliament to tax the colonies if they deemed fit, for the impost in itself was too small to be of the slightest benefit to them. The result was that while the repeal of the Act as a whole again revealed their weakness and vacillation, the retention of this particular item served to keep the original controversy alive. It was nothing to the Americans that by arrangements concurrently made they were able after paying the tax to buy their tea more cheaply than they had done before. This arrangement they promptly and properly repudiated as a bribe. For them the whole constitutional principle for which they had been standing was involved in this one reminder that the Government still refused to recognize it.

It should be added that the Government adopted this ill-advised policy in deference to the wishes of the King, whose personal influence in American affairs was now becoming more direct and more disastrous. From the time of his accession George III had determined to overthrow the established constitutional doctrine that an English sovereign can act only through his responsible ministers and to restore the power of the Crown. It was, however, impossible for him to revert to the Stuart method of governing without a Parliament. His plan was, therefore, to obtain complete control of Parliament itself by destroying the ascendancy of the great Whig families who stood in his way, building up by systematic bribery and corruption a party of his own—the party known as ‘the King’s Friends’—and choosing as his advisers, not the strong statesmen of the day, but men who would accept his dictation. In the good-natured and weak-willed Lord North he had now found a minister after his own heart; with him as an instrument he was able to achieve his great ambition, which was to rule as well as reign; and henceforth his ignorance, obstinacy, and arrogance have to be reckoned among the determining factors in the making of history during the critical period which followed.

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THE BOSTON TEA-PARTY

Notwithstanding the retention of the tea duty the spirit of unrest died down somewhat in the colonies, where the declaration of the Government that they "entertained no design to lay any further taxes on America for the purpose of raising a revenue" had a distinctly pacifying effect. But while moderate men now seemed willing to allow things to drift, the more radical were still busy in stirring up anti-British feeling. Most prominent among the agitators was Samuel Adams, a typical representative of the stern old New England Puritan stock, whose vehemence, fanaticism, and indomitable courage, combined with an extraordinary skill in the management of men, made him a power in the land, and who, it is generally acknowledged, did more than any other single individual to bring about the Revolution. It was at his instigation that in November 1772 a "Committee of Correspondence" was appointed in Boston "to state the Rights of the Colonists and of this Province in particular" and "to communicate and publish the same to the several Towns." In its inception this proposal was a modest one, but it had important results, for similar committees were soon instituted in other towns in Massachusetts and presently in other colonies as well. Thus a kind of network of inter-colonial communication was established which did much to unify and organize public opinion. In these committees, indeed, we can detect the germ of American union.

In the meantime the spirit of violence had broken out anew. In May 1771 the Regulators¹ of North Carolina, unable to obtain relief by peaceable means from the extortions of the officials, took up arms against the Governor and were defeated in a fierce battle at Alamance. This, however, was hardly more than a local riot, and had little connexion with

¹ These Regulators were small farmers and herdsmen of the upper counties of the Carolinas, and were so called because "under the exigencies of their rough frontier life, they formed voluntary associations for the regulation of their own police and the condign punishment of horse-thieves and other criminals" (Fiske, *The American Revolution*, vol. i, p. 75). After their defeat six of their leaders were hanged for treason.

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the general revolutionary movement. It was otherwise with an event which occurred in Rhode Island in the June of the following year. A Government schooner, the *Gaspee*, had been sent thither to enforce the revenue Acts, and her commander, Lieutenant Duddingston, executed his commission with so much thoroughness (as his defenders said)—in fact, with so much insolence and brutality—that he goaded the people of that colony to fury; and when presently his schooner ran aground she was captured and burned to the water's edge. On this the Rhode Island authorities were ordered to arrest the perpetrators of the outrage and to send them to England for trial, but no notice was taken of the demand, and after some altercation the matter was allowed to drop. Then, a few months later, came the event famous in history as the Boston Tea-party. For two years the question of the tea tax had lain dormant. Now it was revived in the interests of the East India Company, which had suffered greatly from the refusal of the colonists to import its tea, and which was now in a precarious condition. To relieve the Company, the Government, under direct pressure from the King, determined to force a quantity of tea on the colonies, and several well-laden ships were accordingly dispatched to the four principal ports, Boston, New York, Philadelphia, and Charleston. In Philadelphia and New York, however, the Company's consignees were induced to resign, and the ships were sent back without breaking bulk. In Charleston, the duty remaining unpaid, the cargo was seized by the collector of customs and stored in damp vaults under the Exchange, where it was left to rot. But in Boston the agents of the Company (among whom were two sons of Governor Hutchinson) refused to yield to the popular demand that they should throw up their commissions. Intense excitement followed; mass meetings were held; and finally, on the evening of December 16, a party of fifty or sixty men, disguised as Mohawk Indians, and led by Samuel Adams, John Hancock, and other patriots, marched down to the wharf, boarded the three ships which lay there, seized 342 chests of tea, cut them open, and emptied their contents into the bay.

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That this was an act of violence cannot, of course, be denied. But in view of all the circumstances it may fairly be argued that the violence was committed under great provocation.

THE COERCIVE ACTS OF 1774

News of this outbreak, following rapidly upon that of the *Gaspee* affair, caused a storm of anger in England, and there was a general demand that the severest measures should be taken to bring the rebellious people of Massachusetts to their senses. The Opposition in Parliament, indeed, endeavoured to obtain the repeal of the tea tax. But the King and his ministers now set themselves firmly against the policy of concession advocated by such men as Chatham and Burke, and instead resorted to the alternative and, as it was soon to prove, the fatal policy of coercion. Four Bills directed immediately against Massachusetts were accordingly introduced by North and hurried through Parliament. The first of these—the Boston Port Bill—was designed to effect the practical blockade of that city until the East India Company should be fully indemnified for the loss of its tea. The second—the Regulating Act—annulled the charter of Massachusetts and set up a new form of government under which the old democratic system was ruthlessly destroyed and along with other established rights that of the town-meeting swept away. By the third Act it was provided that any magistrate, revenue officer, or soldier who in the performance of his duty might cause the death of any person should not be indicted for murder in the colony, but sent to England for trial.¹ The fourth was a new Quartering Act intended to facilitate the introduction of a temporary military government in Massachusetts. All these measures, which gave the King “supreme satisfaction,” were not only arbitrary, but of a flagrantly unconstitutional character, and they were conceived in reckless defiance of every principle of political liberty and justice of

¹ The nominal purpose of this Act was by change of venue to assure the fair trial of the person involved. But the conspicuous fairness of the Boston jury in dealing with the soldiers after the Massacre showed that the precaution was unnecessary.

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which England heretofore had been the recognized champion. Those English statesmen who opposed them in the face of an overwhelming weight of popular opinion in their favour did so, therefore, in part at least, because they saw that in their wider bearings they jeopardized the cause of British freedom in general. At the same time a fifth Act, commonly known as the Quebec Act, was passed, which, though it did not directly affect the thirteen colonies, except in so far as it extended the boundaries of Canada to the Ohio River at the expense of Massachusetts, Connecticut, New York, and Pennsylvania, created almost as much ill-feeling as any of the other measures. Its chief purpose was simply to sanction the free exercise of the Roman Catholic religion in Canada and to establish a system of government under a viceroy armed with despotic powers. But while in all this there was no reference to them, the colonies, connecting the Act with the abolition of the Massachusetts charter, regarded it as a veiled threat that such a system of irresponsible government (which Lord Thurlow described as "the only sort of constitution fit for a colony") would presently be imposed upon themselves.¹

THE FIRST CONTINENTAL CONGRESS

The King and his ministers in enacting these atrocious measures did so in the firm belief that, as Lord Sandwich coarsely put it, the Americans were a set of undisciplined cowards who could easily be frightened into submission; and from his place in the House of Lords North himself promised that if the statutes in question were resolutely enforced "peace and quietude" would "soon be restored." Once more, however, the astonishing blindness and folly of the Government were quickly made apparent. On June 1, 1774, General Gage, the new military governor, closed Boston

¹ This point is specifically made in the Declaration of Independence, in which the Quebec Act is characterized as an act "for abolishing the free system of English laws in a neighbouring province, establishing therein an arbitrary government, and enlarging its boundaries so as to render it at once an example and a fit instrument for introducing the same absolute rule into these colonies."

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Harbour with a cordon of British men-of-war and proceeded to carry the Port and Regulating Acts into effect. But already the cause of Boston had been taken up not only by the rest of Massachusetts, but by the other colonies as well. Money and provisions poured in from all quarters—even from distant Virginia, Maryland, and South Carolina—for the relief of the starving city. Resolutions of sympathy were passed by conventions and local meetings throughout the provinces. The Committees of Correspondence were kept busy in organizing resistance, and with a view to concerted action a general congress of the colonies was convened.

This First Continental Congress, as it is called, met in the Carpenters' Hall, Philadelphia, on September 5, and remained in session till October 26.¹ It included among its fifty-five members some of the most influential men in America ; among them Samuel Adams and John Adams from Massachusetts, John Jay from New York, and Peyton Randolph, Patrick Henry, and George Washington from Virginia. Though without any legal status or authority, it thus carried great weight. Its chief labours were the preparation of a Declaration of Rights and Grievances, in which all the various phases of the ten years' struggle were recapitulated and the position of the colonies defined, and the establishment of what was known as ' the Association,' which was designed as an agency for the systematic and compulsory suppression of all trade with England pending the satisfactory settlement of the questions at issue. One dramatic passage in a speech made by Patrick Henry early in the proceedings of the Congress deserves to be quoted as showing the development of that feeling of national unity which every fresh move in the policy of the Government had helped to strengthen and extend : " The distinctions between Virginians, Pennsylvanians, New Yorkers and New Englanders are now no more. I am not a Virginian, but an American."

¹ Of the thirteen colonies Georgia alone sent no delegates. But it promised the Congress its general support.

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THE OUTBREAK OF HOSTILITIES

From this point things moved rapidly toward the inevitable crisis. Gage's attempts to enforce the Regulating Act were frustrated by the election of a Provisional Council, which took the management of affairs into its own hands, and while the whole machinery of government was thus dislocated in Massachusetts, military preparations went on apace both there and in most of the other colonies. Yet when Parliament met it was evident that even now the increasing gravity of the situation was by no means generally realized. On February 1, 1775, Chatham, who declared that the papers presented by the Continental Congress had never been surpassed in ability by the State papers of any age or country, urged that the vindictive measures of the previous spring should be repealed and the colonies allowed to defray the expenses of their respective governments by taxes imposed by their own assemblies. A few weeks later in the House of Commons Burke argued that however strong might be the abstract right of Parliament to tax the colonies (a question in regard to which he was characteristically impatient) that right should be abandoned on the broad ground of expediency. But instead of following the counsels of these wiser statesmen the Ministry, egged on by the King, determined not to recede from its position and to settle its dispute with America, if necessary, by the arbitrament of arms. Lord North, indeed, to the surprise of his friends, passed a resolution through Parliament that no tax for revenue should be laid on any colony that might undertake to provide satisfactorily for the expenses of its own civil and military government. But this apparent step toward conciliation was really taken in the hope of dividing the colonies and thus facilitating the subjection of Massachusetts, which was formally declared in a state of rebellion. At the same time, by way of reply to the successful activities of the Association, a measure was passed by which the trade of the New England colonies was confined by force to Great Britain and the British West Indies, and by which they were therefore commercially cut off not only from

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the outside world, but also from their provincial neighbours and from the Newfoundland fishing banks, the ultimate foundation of most of the industries of their population. A little later this Act was extended to Pennsylvania, New Jersey, Maryland, and South Carolina, on the arrival of news from America that these colonies had approved the proceedings of the Continental Congress and accepted the Association.

In the meantime Massachusetts continued to distribute arms, lay up provisions, organize the militia, and make other preparations for war ; while Gage on his side received peremptory orders from his Government to suppress the insurrectionary movement at all costs. In these circumstances serious trouble could not long be delayed, and it occurred in April 1775. A force of 800 men, commanded by Lieutenant-Colonel Smith, was secretly dispatched on the night of the 18th to demolish a depot of arms and ammunition at Concord, and to arrest two of the most active of the popular leaders, John Hancock and Samuel Adams. But the colonists had got the alarm, and at Lexington, about twelve miles from Boston, Smith's advance-guard under Major Pitcairn encountered a small body of militia which refused to disperse ; the British then opened fire ; and eight of the Americans were killed and ten wounded. The British troops then marched on to Concord, which they reached about seven in the morning of the 19th, and where they proceeded to burn the court-house, cut down a liberty-tree, and destroy such stores and ammunition as they could find. But by this time the whole surrounding country was aroused ; reinforcements of militia and yeomanry poured in from all the neighbouring villages and farms ; a sharp battle took place on the North Bridge ; Smith was compelled to fall back ; and only the timely assistance of Lord Percy, whom Gage hastily dispatched with 900 men to his relief, prevented his retreat from degenerating into a rout. The long-gathering storm had now at last burst. War had begun.

CHAPTER II

THE WAR FOR INDEPENDENCE

AFTER the affray at Lexington the provincials, instead of dispersing to their homes, encamped at Cambridge. Thus General Gage found himself shut up in Boston by a besieging army of 16,000 men and reduced to inactivity pending the arrival of the promised reinforcements from England. But while strong enough to keep the British helpless within the town, the besiegers themselves had not enough powder and cannon to attack them, and so far as Boston was concerned, therefore, things for the present were at a deadlock. In the meantime, however, the Americans opened the offensive in another direction. On May 10 a small party of Vermonters, led by Ethan Allen, surprised and captured the fort of Ticonderoga on Lake Champlain, and carried away 122 cannon and considerable stores and ammunition.

A fortnight later Generals Howe, Clinton, and Burgoyne sailed into Boston Harbour with the anxiously awaited reinforcements, which raised the British army to about 10,000 men. Confident of victory, Gage now issued a proclamation offering full pardon to all rebels, except John Hancock and Samuel Adams, if they would lay down their arms, but threatening to hang all who refused to do so. The only effect of this clumsy attempt both to placate and to intimidate was, however, to stimulate the besiegers to fresh activity. In order to frustrate Gage's plan to extend his lines they now established themselves near Bunker Hill, a point of great strategical importance just behind Charlestown, from which Boston could be bombarded. Gage, realizing his danger, determined to dislodge them, and on June 16 sent out a couple of divisions, under Howe and Pigott, which,

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after two assaults had been repulsed, finally succeeded in driving the Americans from the ground. This famous battle—the first real battle of the war—though in a purely military sense a comparatively small affair, possessed immense significance, not only because of its desperate character,¹ but also and far more because it gave such signal proof of the mettle of the colonial troops, their splendid gallantry and their practical ability in fighting. Though an actual defeat, it was for them a moral victory in the strictest sense of that much-abused phrase, for “without proper organization, equipment or supplies” they “had fought the best regular troops of Europe, and had repulsed them until their ammunition gave out.”² Beaten as they were, they had at least shown the enemy something of the character of the men with whom they had to deal. “The ignoble taunts which had been directed against the Americans were for ever silenced.”³ For the British, however, this hard-won victory had one immediate practical result. It enabled them to hold Boston for another nine months.

THE AMERICAN LOYALISTS

Before we proceed with our narrative of the War for Independence, which had thus definitely begun, it is desirable that we should say something about the difficulty with which from first to last the patriotic party had to contend by reason of the enemy within their gates.

In England, though the Whig chiefs in Parliament, the

¹ Considering the numbers engaged the loss on both sides was very heavy. That of the Americans was 449; that of the British, in killed and wounded, 1054, or more than one-third of their entire attacking force.

² F. V. Greene, *The Revolutionary War and the Military Policy of the United States*, p. 11. Mr Greene, whom I shall have occasion to quote from time to time as an expert on military matters, believes that “the memory of the carnage on that hot summer afternoon” permanently affected Howe’s nerve, and that this in part explains why, with plenty of mere physical courage, he showed himself so deficient in “moral courage, initiative and vigour throughout the two years in which he exercised supreme command after Gage’s departure” (*ibid.*, pp. 11, 12). Cp. Trevelyan, *American Revolution*, vol. i, p. 338. If this view be sound, the remoter effect of Bunker Hill was extremely important.

³ Lecky, *op. cit.*, vol. iv, p. 205.



BOSTON FROM DORCHESTER HEIGHTS, 1774
From an engraving



THE ATTACK ON BUNKER HILL, WITH THE BURNING OF
CHARLESTOWN, JUNE 17, 1775

From an old print
Mansell & Co., Ltd.

THE WAR FOR INDEPENDENCE

Nonconformist bodies in general throughout the country, and many of the commercial interests formed an influential pro-American minority, the war at the outset received the solid support of "a majority of individuals of all classes, professions or occupations."¹ In America, on the other hand, opinion was very seriously divided, and while, as the active and aggressive section of the population, the patriots were strong enough to seize and maintain control of the destinies of the country, their opponents were sufficiently numerous and powerful to be a source of continual trouble.

In the earlier stages of the long controversy which preceded the appeal to arms there had, indeed, been something approaching unanimity among representative Americans of all classes other than those whose official position committed them to the Government policy; for though here and there there were extremists whose devotion to Great Britain was so intense that they even approved of the Stamp Act, they were too few and, with rare exceptions, too insignificant to count. But while in general the conservatives joined with the radicals in condemning the actions of the British Government and asserting the need of reform, they were resolved to seek redress for admitted grievances only by what they regarded as legitimate and constitutional means. The result was that as tension between the colonies and the home country increased, and the talk ran more and more upon violent methods of resistance, the breach between the two parties widened into a chasm, on the one side of which were the patriots, whose determination to uphold the rights of the colonies at all hazards was soon to lead them to the Declaration of Independence, and on the other the Tories or loyalists, who more or less actively and openly allied themselves with the British cause.

It is impossible to obtain trustworthy statistics regarding the numerical strength of these loyalists, but according to the final estimate of John Adams,² which is accepted by a modern historian who has paid special attention to the

¹ Burke, *Correspondence*, vol. ii, pp. 68-69.

² Works, vol. x, p. 110.

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subject,¹ about one-third of the entire American people was at first opposed to the war. This estimate refers, however, to the country as a whole; in some parts of it, as in New York, Pennsylvania, and South Carolina, and even in portions of Connecticut and Massachusetts, it is almost certain that the dissentients formed an actual majority of the population. In composition they were, of course, a very mixed body, and many different elements and shades of opinion were represented among them. Everywhere, as we should expect, the officers of the Crown and all who were in any way connected with the business of administration were the stoutest supporters of the central Government,² while in general the clergy of the Established Church³ and a considerable proportion of the higher professional classes, whose natural bias was toward conservatism and the maintenance of the existing order of things, were also to be found in the

¹ M. L. Tyler, "The Party of the Loyalists," in *American Historical Review*, vol. i, pp. 24, 25. For a very full account of the literary activities of the loyalists see the same writer's *Literary History of the Revolution*, pp. 293-383.

² One of these, who has already figured frequently in the foregoing pages, deserves special mention as the most famous of all the loyalists—Thomas Hutchinson, the last royal governor of Massachusetts. A great-great-grandson of Ann Hutchinson, he had from early manhood been prominent in public affairs. He was one of the delegates from his colony to the Albany Congress, where he had favoured Franklin's plan of union. Six years later, as Chief Justice of Massachusetts, he aroused a storm of criticism by granting Writs of Assistance. Though he regarded the Stamp Act as impolitic he accepted and sought to enforce it, with the result that, as we have seen, his house was sacked by the rioters. In 1769 he was made lieutenant-governor, a position which he held at the time of the Boston Massacre. As governor from 1771 to 1774 he identified himself even more completely with the policy of the British Ministry. Already the publication by Franklin (into whose hands they had fallen) of some letters of his on colonial affairs had greatly fomented popular feeling against him and the Government. On the appointment of Gage as military governor in April 1774 he left the colony and spent the rest of his life in England.

³ For the attempt to set up Episcopacy in the colonies and the influence of this in strengthening the movement toward separation see Howard, *op. cit.*, chap. xii. In New England the dread of Episcopacy undoubtedly helped to unite the Congregational ministers into a compact support of the patriotic party. There was, however, no necessary or uniform connexion between Anglicanism and Toryism. Most of the patriot leaders in Virginia (including Washington) and South Carolina were members of the English Church.

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Tory ranks. But the loyalist party also included many who, with no such personal reasons to influence them, sincerely believed that the welfare of America was bound up with that of Great Britain and that separation would be fatal to colonial prosperity; many who, averse from political disturbance of any kind, regarded the patriots as restless demagogues and wilful fomenters of strife; and many again who, having no faith in their country in what seemed to them a hopeless struggle, desired simply to keep on the safer side. In the sequel such differences of temper and feeling among the loyalists inevitably led them, under pressure of circumstances, to follow different courses. Those who from the beginning were only half-hearted in their Toryism were, like the great mass of neutrals in the country, easily carried away by the patriotic tide. Others, while holding resolutely to their opinions, early withdrew from the conflict altogether, and by leaving the patriots in undisputed control lost their opportunity and condemned themselves to political impotence. Others again, in whom the military spirit was in the ascendant, either joined the British army or formed regiments of their own.

While it is impossible here to deal in detail with these domestic aspects of the struggle for independence, the fact must be emphasized that so long as the issue of that struggle hung in the balance it was war to the knife between the two opposed parties into which the country was thus divided. There were, it must be admitted, reasons enough for the hatred and fear with which the "detestable parricides" and "abominable pests of society" (as Washington called the loyalists) were universally regarded by the patriots. They gave much active help to the British by supplying them with provisions and valuable information. When British troops invaded a district large numbers of them at once went over to the enemy. On some of the frontiers bands of malcontents combined with the Indians in savage raids, massacring the inhabitants and laying waste their property; ¹ while at times

¹ One of these raids, of a particularly atrocious character, into the Susquehanna valley in 1778, is the subject of Campbell's poem *Gertrude of Wyoming*.

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there were serious loyalist plots, like that in New York in June 1776, the object of which was the capture (and, it was alleged, the assassination) of Washington and his staff. The measures which on their side the patriots took to disarm the loyalists and break up their organizations were therefore justified in their promptness, if not always in their extreme severity. Nor can we be surprised that by ostracism and other forms of social criticism the patriots everywhere expressed their detestation of those whom they deemed traitors to the national cause. But nothing, of course, can be said to palliate the outbursts of mob-violence which repeatedly occurred in many parts of the country or the dastardly crimes by which these were commonly accompanied. In the excited state of the popular mind these things were, indeed, inevitable. But they none the less provide a long, dark, and very ugly chapter in the history of the Revolution.

To complete this short section on a large and intricate subject it has only to be added that during the war and immediately afterward large numbers of loyalists, voluntarily or under compulsion, left the country to make their homes in England or in other British colonies.

THE SECOND CONTINENTAL CONGRESS

On the very day—May 10, 1775—on which Ethan Allen captured Ticonderoga the Second Continental Congress met in Philadelphia, and it may be taken as an indication of the temper of the assembly that John Hancock, one of the arch-rebels proscribed by the British, was at once elected its president. Most of the prominent men who had sat in the preceding congress were delegates again to this, but its membership included two very important additions. One of these was Benjamin Franklin, who had just arrived from England. Hitherto he had worked steadily in the interests of conciliation, and even when he sailed from the Old Country, which he loved sincerely, and where he had many close personal friends, he still believed that conciliation was possible. But when on reaching Philadelphia he learned of what had happened at Lexington he gave up all thought

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of a peaceful settlement, and henceforth he put his sagacity, his tact, his courage, and his industry entirely at the service of the patriotic party. Franklin was now nearly seventy, but in mental and physical power he was still in his prime, and the labours of his remaining years were the most arduous and the most valuable of his long and busy life. The other notable accession to the strength of the patriots in the congress, Thomas Jefferson of Virginia, was, on the contrary, still a young man, for he had only just entered his thirty-third year. He had, however, already made his mark in the Virginia House of Burgesses,¹ and the qualities which had given him pre-eminence in his own province—his democratic enthusiasm, his faith in the humanitarian ideals of the age, his remarkable power of understanding and expressing the thoughts which as yet were only beginning to shape themselves slowly in many men's minds—soon assured him a position of distinction among the extreme radicals of the new assembly.

Like the congress of the previous year, this Second Continental Congress was entirely without legal status or constitutional authority. It was simply a deliberative gathering of delegates from the various colonies, and no legislative or executive powers were vested in it. But at that time of emergency, when in some way or other the business of government had to be carried on and a great war conducted, no one paused to consider the theoretical questions which would otherwise have been raised. The Congress, however anomalous its position, was the only body that at the moment represented the interests of the colonies as a whole or could give voice to their general sentiments, and for this solitary but sufficient reason it gradually assumed the functions of a national Government.

Its first task, therefore, was to organize the country for war, and to this end it adopted the troops encamped outside Boston as the nucleus of a national army, resolved by

¹ In the conflict between the House and the Governor, Lord Dunmore, he had been one of the most vigorous and intrepid supporters of the popular cause. It was at this time that he wrote his *Summary View of the Rights of British America*, in which he unconditionally rejected the authority of Parliament over the colonies, even in respect of the regulation of trade.

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unanimous vote to raise forthwith an additional force of 20,000 men, and appointed Colonel George Washington, of Virginia, commander-in-chief. But while engaged in these military preparations it was also concerned to define the position of the colonies in respect of the British Government. Lord North's recent proposals it dismissed as "unreasonable and seditious." Then a few weeks later it published *A Declaration of the Representatives of the United Colonies of North America, setting forth the Causes and Necessity of their taking up Arms*, in which, while it still expressly repudiated the idea of independence, it announced in the name of all the colonies their firm determination "to die Freemen rather than to live Slaves." "We have not raised Armies with ambitious Designs of separating from Great Britain, and establishing independent States. We fight not for Glory or for Conquest. . . . In our own native Land, in defence of the Freedom that is our Birthright, and which we ever enjoyed till the late Violation of it—for the protection of our Property, acquired solely by the honest Industry of our Forefathers and ourselves, against violence actually offered, we have taken up Arms. We shall lay them down when Hostilities shall cease on the part of the Aggressors, and all danger of their being renewed shall be removed, and not before."¹

But while this declaration undoubtedly expressed the general sense of the Congress its more conservative members, led by John Dickinson, insisted that one more petition should be addressed to the King, and after a protracted and heated discussion the radicals had to yield. The petition was accordingly prepared and its delivery entrusted to Richard Penn of Pennsylvania, an ardent loyalist, who arrived with it in London on August 14. But on the plea that Congress was an illegal assembly and had therefore no right to address him, and that he could have no dealings with the colonies collectively, the King refused to receive this "olive branch of peace"; his reply to which took the form of a proclamation denouncing the colonists as "dangerous and ill-designing men . . . who had at length proceeded to open and avowed

¹ *American History told by Contemporaries*, ed. Hart, vol. ii, pp. 442-445.

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rebellion." The effect of this action on the part of George III was greatly to strengthen the hands of the radicals against those who had clung to the hope that an amicable settlement of the long controversy was still possible through accommodations on both sides. "Until after the rejection of the second petition of Congress in 1775," John Jay later wrote, "I never heard an American of any class or any description express a wish for the independence of the colonies." Up to that decisive moment Washington had "abhorred the idea of independence," but within a few months he had become convinced that "nothing else will save us."

Other influences, however, were now also at work in creating such a spirit of animosity throughout the colonies as to make the final rupture unavoidable. In October 1775 Captain Mowat, in command of four men-of-war, wantonly attacked the little town of Falmouth (now Portland), Maine, burned the church and public buildings, and rendered a thousand men, women, and children homeless at the beginning of the severe New England winter. On the following New Year's Day Lord Dunmore, governor of Virginia, being driven out of Norfolk, cannonaded the town and reduced it to ashes. These outrages raised the feelings of the Americans to fever-heat and inspired them with a passion for revenge. Just at this time, too, an immense impression was produced by the publication in Philadelphia by an Englishman, Thomas Paine, of a pamphlet entitled *Common Sense*, which, while often shallow in argument and coarse in tone, stated the case for independence with such extraordinary clearness and vigour that, as Washington afterward said, it "worked a powerful change in the minds of many men," and in Burke's view "prepared the minds of the people" for separation.¹ But unquestionably the greatest factor in the triumph of the radical party was the abominable method adopted by the King in his determination to crush the rebels, when, finding

¹ *Letter to the Sheriffs of Bristol*. Paine had been only thirteen months in America when he thus leaped suddenly into fame as the most outspoken supporter of the radical cause. After a varied career at home he had emigrated to Philadelphia at the end of 1774, bearing with him letters of introduction from Franklin, whom he had known in England.

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it impossible to raise a sufficient army in England for the purpose, he hired from the Landgrave of Hesse-Cassel and several other German princes some 20,000 veterans to slaughter his British subjects overseas.¹ As this proceeding—let the fact be set down to his credit—thoroughly disgusted even Frederick the Great,² its effect upon the Americans themselves can easily be understood.

Already the fabric of the old British system of government had been practically destroyed, and the colonies now turned to Congress for guidance. Its recommendation was that "the respective assemblies and conventions of the United Colonies, where no government sufficient to the exigencies of their affairs hath been hitherto established," should proceed "to adopt such a government as shall in the opinion of the representatives of the people best conduce to the happiness and safety of their constituents in particular, and of America in general." Virginia, New Hampshire, and South Carolina soon acted on the suggestion, and other colonies followed. In Connecticut and Rhode Island the existing systems were so democratic that very little change was necessary to adapt them to the new requirements. Massachusetts also adhered to its original charter till 1780, when a fresh constitution was prepared by a convention assembled for the purpose and ratified by popular vote.

Early in the fateful year 1776 Congress also took another

¹ Altogether nearly 30,000 German troops were sent to America. As about 60 per cent. of them came from Hesse they came to be known generally as Hessians. For a full treatment of this subject see E. J. Lowell, *The Hessians in the American Revolution*.

² Writing to Voltaire on June 18, 1776, Frederick disclaimed any part in the political education of the Landgrave of Hesse—a prince who had sold his subjects to the English "comme on vend du bétail pour le faire égorger" (*Œuvres de Frédéric le Grand*, tome xxiii, p. 380). Mirabeau's spirited protest—"Avis aux Hessiens, et autres Peuples de l'Allemagne"—will be found (in translation) in *American History told by Contemporaries*, ed. Hart, vol. ii, pp. 500-504. For Franklin's pungent little satire—*The Sale of the Hessians, from the Count de Schaumbergh to the Baron Hohendorf, commanding the Hessian Troops in America*—see his works, ed. Smyth, vol. vii, pp. 27-29. This shameful practice of selling soldiers to foreign rulers was one of the many aspects of oppression in the petty German states of the time attacked by Schiller in his revolutionary drama, *Kabale und Liebe*.

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step toward the dissolution of the ties which still nominally bound the colonies to the imperial Government. Parliament had passed a new provocative Act closing all American ports and empowering commanders of British ships to seize the crews of American vessels and compel them to serve against their own countrymen. Congress replied by throwing all the ports of America open to all countries "not subject to the King of Great Britain." After this, as John Adams saw, any formal "declarations of independency" were merely a matter of time.¹

None the less Congress still waited till the instructions of the various colonial legislatures could be obtained before making a decision which would be final and irrevocable. By the early spring of 1776, however, so many of the colonies had expressed themselves in favour of separation that there was no longer any reason for delay, and on June 7 Richard Henry Lee, one of the delegates from Virginia, moved "that these United Colonies are, and of right ought to be, free and independent states, that they are absolved from all allegiance to the British crown, and that all political connection between them and the state of Great Britain is, and ought to be, totally dissolved." This resolution was passed by the unanimous vote of twelve colonies, the delegates from New York withholding their assent because they regarded it as premature; and a committee consisting of Thomas Jefferson, John Adams, Benjamin Franklin, Roger Sherman, and Robert R. Livingston was appointed to draw up the Declaration of Independence. This famous document was in fact written by Jefferson, though its phraseology was carefully revised by Adams and Franklin.² After much "acrimonious criticism," and some stout opposition on the part of John Dickinson, who still did not want to "shut the door of accommodation with Great Britain," it was adopted by Congress on July 4 and signed on August 2 by John Hancock

¹ *Familiar Letters*, p. 155.

² The only important change made in the substance of the Declaration was the omission of the paragraph in Jefferson's original draft condemning slavery. This was left out in deference to the sentiments of South Carolina and Georgia.

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as president and fifty-five delegates representing all the thirteen colonies.

THE DECLARATION OF INDEPENDENCE

Like the explanatory manifestos of 1765 and 1774, by which, as we have seen, it had been to some extent foreshadowed, the Declaration of Independence is chiefly concerned with the vindication of the colonies in their resistance to the British Government. Accordingly, it sets out in detail, and, of course, in an entirely one-sided way, the "repeated injuries and usurpations" by which the King of Great Britain had endeavoured to establish "an absolute Tyranny over these States," and in the twenty-seven counts of its indictment—some of which recite grievances of the most serious and fundamental kind, while others, on the contrary, will hardly bear impartial examination—we have, therefore, a complete recapitulation of all the immediate causes of the Revolution. But beyond the specific facts which are thus "submitted to a candid world" certain general principles are advanced by Jefferson as "self-evident" truths in support of the colonial claims—the natural equality of all men; the "inalienable Rights" with which "they are endowed by their Creator"—among which are the rights to "life, liberty, and the pursuit of happiness"; and the justification of civil government by reference only to the consent of the governed. The famous second paragraph in which these ideas are embodied may impress us to-day as vague in thought and altogether too declamatory in style. But we must remember that the ideas themselves were widely current in the humanitarian philosophy of the later eighteenth century, and that however visionary they may seem to students who scrutinize them now from a detached and critical point of view, they are at least expressive of the generous ardour and progressive spirit of their age.¹

The Declaration of Independence, which was received with boundless enthusiasm by the patriots in all the colonies, had two important results. In the first place, by finally severing

¹ For the full text of the Declaration of Independence see Appendix I.

A Declaration by the Representatives of the UNITED STATES
OF AMERICA, in General Congress assembled

When in the course of human events it becomes necessary for ^{one} people to dissolve the political bands which have connected them with another and to ~~take the place of these with new ones to which they are more attached~~ as equals among the powers of the earth the ^{separate and equal} station to which the laws of nature & of nature's god entitle them a decent respect to the opinions of mankind requires that they should declare the causes which impel them to ~~take~~ ^{assume} this separation.

We hold these truths to be self-evident, that all men are created equal, & independent, that they are endowed by their Creator with certain unalienable rights, that among these are life, liberty, & the pursuit of happiness. That to secure these rights, governments are instituted among men, deriving their just powers from the consent of the governed, that whenever any form of government becomes destructive of these ends, it is the right of the people to alter or to abolish it, & to institute new government, laying its foundation on such principles & organizing its powers in such form, as to them shall seem most likely to effect their safety & happiness. prudence indeed will declare that governments long established should not be changed for light & transient causes and accordingly all experience hath shewn that mankind are more disposed to suffer while evils are sufferable, than to right themselves by abolishing the forms to which they are accustomed. but when a long train of abuses & usurpations [beginning at a distant period] pressing upon the same object evinces a design to reduce them under absolute despotism, it is their right, it is their duty to throw off such government, & to provide new guards for their future security. such has been the patient suffering of these colonies & such is now the necessity which constrains them to alter their former systems of government. the history of the present King of Great Britain is a history of repeated injuries & usurpations [among which appears no solitary fact] contra dict the uniform tenor of the whole [all of which have in direct aim] the establishment of an absolute tyranny over these states. to prove this let facts be submitted to a candid world [for the truth of which we pledge a faith yet unsullied by falsehood]

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the connexion between the colonies and the British Government it forced all Americans to take sides, and turned those who had hitherto been merely political opponents of the patriotic party into acknowledged enemies of their country. Secondly, in the new order of things created by it, each colony became a state, and the United Colonies of North America were transformed into the United States of America—a new nation among the nations of the world.

THE WAR TILL FEBRUARY 1778

From these matters of political history we have now to turn to the events of the war itself.

When Washington, at the age of forty-three, was appointed commander-in-chief of the national forces he was already one of the most notable men in America. His admirable conduct in Braddock's unfortunate campaign had given him the highest reputation among colonial officers. For five years he had been in command of the Virginia troops. As member of the House of Burgesses he had made his influence felt both by the quiet force of his personality and by his steady attention to business; while in the First Continental Congress, though he had no gifts as an orator, and therefore did not shine in debate, the impression which he produced upon his colleagues was so strong that, as Patrick Henry declared, "if you speak of solid information and sound judgment, Colonel Washington is unquestionably the greatest man on the floor." A country gentleman of the old Virginia type, tall, stalwart, and active, a lover of outdoor life, a successful farmer, and a keen sportsman, he had little in the way of regular scholarship, knew no language but his own, and never exhibited much taste for intellectual pursuits. In many respects, therefore, his qualities were those of the class to which he belonged. But his massive common sense, his moral and physical courage, his complete self-control, his patience and dogged tenacity of purpose, his immense reserves of strength upon which he could draw at times of need, his capacity for administration, his extraordinary grasp of detail, his rare power of managing men, and, added to these, a military genius of such high order that,

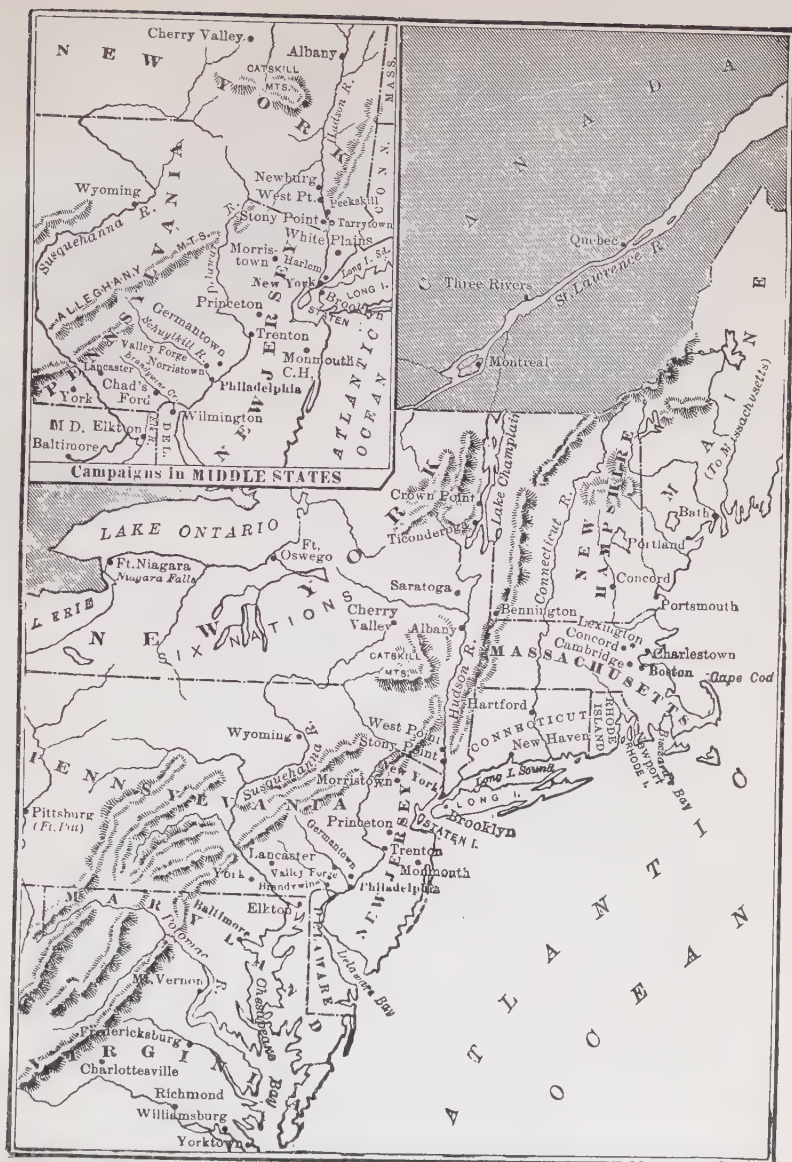
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it has been said, no expert critics "have ever detected him in a mistake,"¹ all combined to mark him out for success in the great and difficult task to which he had set his hand. Shy and modest as he was, he was firm in opinion and inflexible in will ; his calm self-confidence inspired confidence in others ; he was able to bear the heaviest burden of responsibility, and to meet disaster without flinching ; while so pure was his patriotism and so single-hearted his devotion to duty that when he reluctantly accepted command he did so on the express condition that he should receive nothing for his services beyond his bare expenses, of which with characteristic punctiliousness he always kept an exact account. Such a man was an immense asset to the national cause at such a time, for he gave to it the stability which it required. "It was always known by his friends, and it was soon acknowledged by the whole nation and by the English themselves, that in Washington America had found a leader who could be induced by no earthly motive to tell a falsehood, or to break an engagement, or to commit any dishonorable act."² Such absolute integrity, though admirable in itself, may perhaps at first sight seem to have little or nothing to do with the man's efficiency in public life. But history, though it has too often to record the brilliant triumphs of rogues and intriguers, also shows that occasionally character is a determining factor in success ; and the whole career of this noble-minded Virginia gentleman certainly provides a case in point.

When Washington assumed command at Cambridge on July 3, 1775, he had at once to grapple with difficulties which called for all his powers. The New England farmers and

¹ Fisher, *The Struggle for American Independence*, vol. i, p. 351. Mr Greene points out that Washington's indecision in November 1776 "caused a grave disaster" ; but he adds that "this is about the only criticism that can be made of his military acts during eight long years of warfare." Against this single lapse, as he proceeds to show, have to be placed those great 'Napoleonic' achievements to be mentioned in due course in our narrative—"the marvellous retreat from Long Island, the audacious attack at Trenton and Princeton, the well-planned movement from Valley Forge when Howe evacuated Philadelphia, and the brilliant march to Yorkton" (*op. cit.*, p. 280).

² Lecky, *op. cit.*, vol. iv, p. 213.



REFERENCE MAP FOR THE REVOLUTION: NORTHERN AND MIDDLE STATES

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yeomen who still held Gage tightly shut up in Boston were not an army, but "an armed mob," and though "they had done creditable things" it was "in a blundering unmilitary way."¹ Nor when the Continental reinforcements began to arrive were conditions much improved. The men were volunteers who had enlisted for short terms of service only under various forms of contract; they were totally undisciplined and extremely insubordinate; the officers were few and for the most part incompetent; and among these, no less than in the ranks, the old intercolonial jealousies were still rife. At the same time, the commissariat department was not organized; there was as yet no system for clothing or paying the soldiers; and the troops were so short of ammunition that they were now reduced to an average of nine rounds for each man. Out of this motley, ill-armed, ill-clothed, straggling, and fluctuating crowd Washington had to create an army with which to oppose the well-trained, well-equipped, and thoroughly seasoned forces of the enemy. It was a task which might well have disheartened him at the outset, and we cannot wonder that as winter approached he found his "situation . . . inexpressibly distressing."² But fortunately, as the British commanders were presently to learn to their cost, the materials with which he had to work were far more promising than superficial appearances would have led one to suppose. These "small and independent freeholders, backwoodsmen and hunters" furnished in fact "a larger per cent. of men skilled in the use of arms than any equal number in Christendom. Frontier life had toughened their sinews and developed an individual courage, if not a sense of community"; while "the circumstances of their domestic life" had "encouraged a simple, earnest and religious character, well suited to carry them through the long struggle now before them."³

Late that autumn, while Washington at Cambridge was steadily engaged, within cannon-shot of the enemy, in his

¹ Van Tyne, *op. cit.*, p. 44.

² Writings, vol. iii, p. 146.

³ Van Tyne, *op. cit.*, pp. 33, 34.

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labours of preparation, two divisions of American troops, commanded respectively by Richard Montgomery, an Irish officer of distinction, and Benedict Arnold, invaded Canada. At first the expedition met with success, for the fortress of St John capitulated to Montgomery after a siege of fifty days, and on November 12 Montreal was occupied. But a foolish though gallant attempt to storm Quebec ended in irretrievable disaster ; Montgomery was killed in the assault ; more than one-third of the small invading force were taken prisoners ; and though Arnold himself, severely wounded, encamped outside the city with the design of later renewing the attack, the recapture of Montreal by the British in the spring compelled him to abandon the hopeless enterprise. This failure in Canada was, however, offset by a brilliant success in Massachusetts. All through the winter, greatly to the surprise of Washington, General Howe (who had now replaced the incompetent Gage, recalled in disgrace after Bunker Hill) had remained quiescent. Washington himself was meanwhile only waiting till he felt strong enough to strike. With heavy guns which had at length arrived from Ticonderoga and ammunition from a captured British ship, he now assumed the offensive, and on the night of March 4, 1776, seized Dorchester Heights (now Telegraph Hill, South Boston). Boston, exposed to bombardment from that point of vantage, was thus no longer tenable, and on the 17th Howe, with more than 7000 soldiers and 900 Tory civilians, evacuated the town and sailed for Nova Scotia, leaving behind him in his hurried departure many guns and large military stores.

The Middle states now became the principal theatre of war. The plan adopted by the British for subduing the country was to cut it in two by separating New England from Virginia, which done, the conquest one by one of these centres of revolution appeared to be a relatively easy matter. Their first great object was, therefore, to obtain possession of the line of the Hudson River and Lake Champlain, and, on July 8, with this in view, General Howe, supported by the fleet under his brother Lord Howe, landed a strong force of British and German troops on Staten Island. After the

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evacuation of Boston Washington had moved to New York, had fortified Brooklyn Heights, from which, as he believed, he could command the city, and had entrenched a portion of his army on Long Island. Howe determined to strike first at the latter and more vulnerable point, and on August 27, with a vastly superior force, he inflicted a crushing defeat upon the American divisions which held that key to the river. Had he been quick to follow up his advantage he might then and there have made his victory decisive. But with curious negligence he allowed Washington under cover of night (August 29-30) to convey the remnant of his Long Island army across the East River to New York, leaving to the enemy nothing but his empty camp. On September 15, however, the Americans were compelled to evacuate the city. Then, still hard pressed by the British under Cornwallis, and hampered by the insubordination of one of his chief officers, Major-General Charles Lee,¹ who deliberately ignored his orders at critical moments, Washington, driven back from point to point, and with an army which was daily melting away through sickness and desertion, made a long and perilous retreat across New Jersey into Pennsylvania,² coming to a halt only when he had placed the Delaware between himself and his pursuer.

Naturally elated by the victory of Long Island, the British commanders were convinced that the defeated Americans would be willing to come to terms. Before that battle had been fought Lord Howe had endeavoured to get into friendly relations with Washington with a view to negotiations, but as the address on his letter—"George Washington, Esq."—was purposely designed to ignore the commander's official position, and to treat him as a private individual only, Washington

¹ This vainglorious and untrustworthy officer was jealous of Washington, and intrigued against him because he thought that he should himself have been given the supreme command.

² How perilous this retreat was may be judged from Mr Greene's statement that if Howe, with nearly 3000 fine troops at his disposal, had resolutely followed up the fugitive enemy "it is hard to see how the Continental army could have escaped destruction." But, after his habit, "Howe missed his chance" (*op. cit.*, pp. 60-62).

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very astutely and very properly refused to receive it, since as a private individual he had no authority to consider any proposals from the British Government or its representatives. Efforts for peace were now renewed, though as Lord Howe's specific instructions were that he should not recognize the Continental Congress, it was with influential Americans in their private capacities only that he offered to deal. Insistence on this point of diplomatic etiquette threatened to ruin the attempt at the outset. However, after much discussion, Congress agreed to waive it and to send three of its members—Rutledge, John Adams, and Franklin—as a committee to meet Lord Howe. The conference took place on Staten Island on September 11—four days before the evacuation of New York. Howe was hospitable, courteous, and sympathetic,¹ but when he told the committee that if America should fall he would feel and lament its fate like a brother, Franklin dryly replied: "My lord, we will use our utmost endeavour to save your lordship that mortification."² The interview was very amicable throughout, but it came to nothing, for the simple reason that the three Americans were firm in their stipulation that the Declaration of Independence should be recognized as the condition precedent to any negotiation. For the States to go back to their old allegiance to the British Crown was, they emphatically asserted, henceforth and for ever impossible.

‡ But though Franklin and his colleagues thus presented a bold front to the diplomatic representative of the enemy, the months which followed the battle of Long Island were a very dark and anxious period for the American people—a time, as Tom Paine wrote, "to try men's souls."³ The British had saved Canada; they held New York; they had taken possession of Rhode Island; they had overrun New Jersey;

¹ It must be remembered that Howe's professions of sympathy were thoroughly genuine. He was indeed a warm friend of the Americans, and had spoken in Parliament on their behalf. He was liked and respected by them, and if conciliation had now been possible within the limits of his commission he would certainly have been the man to accomplish it.

² Morse, *Franklin*, p. 213.

³ *The American Crisis*, No. 1.

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they threatened Philadelphia so seriously that Congress had to remove from that city to Baltimore; while Washington's position beyond the Delaware was, as he himself confessed, little short of desperate.¹ The Revolution, indeed, seemed on the point of collapsing, and it was saved only through the combination of two factors: "the extraordinary skill and determination of its great leader" and "the amazing incapacity of his opponents."² While Howe, dilatory as ever, was waiting till the river should be frozen over before attempting to push on into Pennsylvania, Washington was quickly reorganizing his shattered forces and preparing to deliver a sudden blow. On Christmas night, in a driving hail-storm, and in such bitter cold that two of his privates were frozen to death, he crossed the Delaware amid all the perils of floating ice, surprised Trenton, captured a thousand Hessians who had given themselves up to the festivities of the season, and returned safely to his headquarters before Cornwallis had time to hurry to their relief. Nine days later—on January 3, 1777—he again crossed the river, completely outmanœuvred Cornwallis, and routed the three British regiments stationed at Princeton. By these two brilliantly conceived and perfectly executed actions he checked the advance of the enemy, gained the breathing-time which was so urgently necessary before any further operations could be undertaken, put new heart into his army, and revived the drooping spirit of the country.

None the less, the campaign of 1777 brought a succession of reverses to the American arms, the underlying cause of which must be sought not in any defect in Washington's generalship, but in the untrustworthiness of the raw and

¹ "If every nerve is not strained to recruit the new army with all possible expedition," he wrote to his brother on December 18, "I think the game is pretty well up. . . . You can form no idea of the perplexity of my situation. No man, I believe, ever had a greater choice of difficulties, and less means to extricate himself from them. However, under a full persuasion of the justice of our cause, I cannot entertain an idea that it will finally sink, though it may remain for sometime under a cloud." (Writings, vol. v, p. 109.) For Burke's pessimistic view of the American position and outlook see his letter to the Marquis of Rockingham, January 6, 1777.

² Lecky, *op. cit.*, vol. iv, p. 354.

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inexperienced troops on whom he had to depend. Howe, who was now determined to occupy Philadelphia—a strategical movement which was shown by the sequel to have been of very doubtful value—landed an army at the head of Chesapeake Bay on August 25 ; defeated Washington at Brandywine Creek on September 4 ; and on the 26th entered the Quaker city. Washington had attempted a counterstroke at Germantown on October 4, but having failed in this he retired to Valley Forge, about twenty miles from Philadelphia, where he went into winter quarters. But against this tale of disaster has to be placed a decisive success in the North. The British planned an expedition on a large scale from Canada, the object of which was to obtain control of the Hudson. This was commanded by General Burgoyne ; the arrangement being that Howe should ascend the river from New York with his main army and effect a junction with Burgoyne at Albany. But for some reason Howe failed to fulfil his part of the engagement ; as Burgoyne, though at first victorious, advanced into the enemy's country his difficulties increased ; defeated at Bennington, Vermont (August 16), and checked at Stillwater (September 19 and October 7), he was compelled to retire to Saratoga ; and there, completely surrounded and cut off from all hope of relief, he surrendered (October 17) to General Gates, with his entire army of nearly 6000 men.¹

The indirect results of this sudden and unexpected blow justify us in regarding it as the turning-point of the war. In the previous May Chatham, now enfeebled by illness, had reappeared in his place in the House of Lords, a pathetic figure swathed in flannel, to plead once more for peace and to utter his memorable words of warning : “ You may ravage—you cannot conquer ; it is impossible ; you cannot conquer

¹ The surrendered force was composed, in exact figures, of 341 officers, 586 non-commissioned officers, and 4836 privates—5763 men in all (Greene, *op. cit.*, p. 127). Nothing succeeds like success. One immediate consequence of this victory was a futile attempt to deprive Washington of his command and to put Gates (who was in fact a soldier of very inferior quality) in his place. This is known as the ‘ Conway Cabal,’ from an Irish adventurer, Brigadier-General Conway, who was the moving spirit in it. Its collapse left Washington more firmly entrenched than ever in the confidence of his countrymen.

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the Americans. You talk . . . of your powerful forces to disperse their army; I might as well talk of driving them before me with this crutch." ¹ But for the moment George III and his ministers were carrying everything before them, and the course of events on the other side of the Atlantic spread a spirit of optimism throughout the country. The occupation of Philadelphia caused, as Burke wrote, "in the minds of all sorts of people" a "wild tumult of joy," and this and Burgoyne's early successes delighted the King, who was convinced that he at length held the rebellious Americans in the hollow of his hand. Saratoga produced an instantaneous revulsion of feeling. The English people had been led to believe that the war would be brief and victory easy. In that faith they had given the Government their unreasoning support. They were now disillusioned. The Ministry was badly shaken. North, who had never had much heart for the policy of which he had allowed himself to be made the instrument, was anxious to resign, but was forced to retain office by the King, who by this time had "assumed the position not only of a prime minister, but of a cabinet, superintending, directing and prescribing, in all its parts, the policy of the government" and doing his utmost "to embitter the contest." ² Yet even George had his forebodings, for another danger had now to be faced—a danger foreseen, indeed, but not hitherto fully realized. An intense dislike and distrust of the English—surviving memories of the Seven Years War—created in France a general sympathy with the American cause. To France, therefore, as the traditional enemy of England, the Americans had naturally looked for support. Early in 1776 Silas Deane had been sent by Congress to Paris as "commercial commissioner and agent" of the United States, and through the instrumentality of the famous playwright and clever intriguer, Beaumarchais, he had obtained substantial help in the form of money, arms, and ammunition. Then in September a new envoy arrived in the French capital in the person of Franklin, whose fame had gone thither before

¹ Basil Williams, *Life of William Pitt, Earl of Chatham*, vol. ii, p. 317.

² Lecky, *op. cit.*, vol. iv, p. 442.

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him, who met with an enthusiastic welcome from all classes of the people, and who at once, with his unfailing tact and patience, set to work, quietly but persistently, to obtain the active participation of France in the conflict. But while willing to render secret assistance to the enemies of Great Britain, the French ministers, in doubt as to the issue, still hesitated to commit themselves openly to the American side. The news of Burgoyne's surrender turned the scales. On December 17 Vergennes formally notified the American commissioners in Paris—Franklin, Deane, and Arthur Lee—that France would both acknowledge and support the independence of the United States. On February 6, 1778, two treaties were signed between the two countries: one a commercial treaty providing for reciprocity in trade; the other a treaty of political and military alliance, under which the contracting parties agreed not to lay down their arms until the absolute independence of the United States was finally assured.

When news that Franklin was in Paris reached England the King and his ministers surmised the purpose of his mission and saw that they were now in peril of having a double war upon their hands. Lord North determined, therefore, to make a last attempt at conciliation with the colonies, and as soon as the Cabinet had received private information of the signing of the treaties he introduced, to the astonishment and consternation of his adherents, a group of measures by which he practically conceded to the Americans all the points for which they were fighting except actual independence, while commissioners were to be sent to America with instructions to pledge the Government to almost anything and everything, short of this, that might induce the States to enter into negotiations for peace. Though no party or class in the country or in Parliament was pleased by North's sudden and complete surrender of the whole colonial system, he had his way. Three commissioners accordingly crossed to America, where they remained from June to October. Had their efforts been made three years earlier they would probably have been crowned with success. As it was, nothing came of them. Lavish as the commissioners were in their promises—they

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This portrait of Franklin in the New York Public Library, formerly attributed to Duplessis, is almost certainly a copy by Joseph Wright, an American artist, of another portrait painted by him and presented to the Royal Society, London, in 1782. Until the publication of the Franklin papers and correspondence in 1908 the artist of the Royal Society's portrait was unknown, but it was then conclusively proved to be Joseph Wright. Letters from the artist showed that he had made two copies of the portrait, of which this is probably one, and the other is believed to be that attributed to Greuze in Boston.

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even went so far as to offer to the colonists representation in the British Parliament—they could not yield on the principle of independence, and on that point Congress was now inflexible. On this they changed their note, and before sailing for home they issued a final manifesto declaring that the contumacious rejection of their advances would render the British Government ruthless in the prosecution of hostilities, and threatening the Americans with the “extremes of war.” As one of their number afterward stated in Parliament, this proclamation meant “a war of desolation” and could “mean nothing else”—a war henceforth to be waged so mercilessly that if no military decision could be obtained, the spirit of the American people might be broken.

THE SECOND STAGE OF THE WAR

The winter at Valley Forge was a time of terrible suffering for Washington's army, for the men were “barefoot and otherwise naked” and often on the verge of starvation. Yet the great commander, amid his grave anxieties, not only struggled successfully against all the formidable difficulties of his situation, but with the valuable assistance of a Prussian veteran, the Baron von Steuben, who had joined him as a volunteer, took the work of training and disciplining his troops seriously in hand, with the result that by the early spring they were better organized and more efficient than they had ever been before. The British in Philadelphia, on the other hand, were gradually deteriorating. Instead of attacking Washington, only twenty-two miles away, Howe remained inactive,¹ while his officers and their many loyalist friends indulged in gaieties and dissipations, the culmination of which was a splendid festival called the Meschianza, which was held in May 1778 in honour of Howe (who had just relinquished his command to Sir Henry Clinton), and which included a tournament, a regatta, a ball, and a grand display of fireworks. The news of the French alliance put a sudden stop to these delightful proceedings. Clinton received orders

¹ For Washington's surprise that Howe took no advantage of the weakness of his position see his writings, vol. viii, p. 504.

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from England to abandon Philadelphia, which had proved to be useless as a basis for military operations, and to concentrate his forces in New York, and the business of evacuation was actually in progress when the British commissioners arrived on their fruitless errand. Leaving Benedict Arnold in command of the city, Washington started in pursuit of Clinton, whom he overtook and attacked at Monmouth Court House in the village of Freehold, New Jersey (June 28); but Lee's combined treachery and incapacity robbed him of victory,¹ and Clinton was able to retreat unmolested. Washington then marched up the Hudson and encamped at White Plains, while the British established themselves at New York. An attempt made by the French fleet to take that city failed (July 1778), and failure also attended the combined attack by the French from the sea and by the Americans on the land side upon Newport, Rhode Island, which was still in British hands. Thus far only disappointment had resulted directly from the intervention of France. But indirectly its effect presently began to make itself felt through the international complications which ensued and the consequent gradual isolation of Great Britain. Spain, though owing to her fear of American expansion at her expense she would not join the alliance, declared war on England on her own account (June 1779), principally in the hope of recovering Gibraltar. England quarrelled too with the Netherlands over various treaty obligations and soon had to face another active enemy (December 1780);² while a few months before this (March-April

¹ After this final exhibition of bad faith Lee was tried by court-martial for disobedience and misbehaviour before the enemy and suspended from the army. He died four years later.

² Another cause of this quarrel was the protection given by the Dutch to John Paul Jones. This most famous of the American privateers was a young Scotsman who had emigrated to Virginia just before the outbreak of the war. With extraordinary daring he scoured the seas for British vessels and even attacked exposed places on the English and Scotch coasts: his most brilliant achievement being the capture of the man-of-war *Serapis* in the mouth of the Humber. The Dutch then allowed him to shelter in one of their ports for ten weeks, notwithstanding the demand of the British Government for his surrender. He was the first to fly the American flag at sea, and is therefore popularly known as the 'Founder of the American Navy.'

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1780) Russia, Prussia, and other Powers formed a League of Armed Neutrality to maintain their commerce and the freedom of the seas. This increase in the number of her adversaries and the spread of the war to many fields, notably to the West Indies and India, compelled England to dissipate her forces, and thus hampered her in her American campaign.

The growing sense of national danger, however, and especially the bitter feeling of Englishmen in general against France, helped for the moment to unite the whole country in a common determination to strain every nerve in the prosecution of the war. But at the same time it was realized that the crisis was one which called for the strongest man. All parties, therefore, clamoured for Chatham, and even his Tory antagonists—North, Camden, Mansfield—urged the King to place him at the head of the Ministry. But George III, who hated Chatham, was resolved to wreck the country rather than to sacrifice his personal prejudices: "I declare in the strongest and most solemn manner," he wrote to North, "that no advantage to this country, no present danger to myself, can ever make me address myself to Lord Chatham or any other branch of the Opposition." So much for the patriotism of which the King was fond of boasting! To such behaviour in such circumstances Lecky is surely justified in applying the epithet "criminal."¹ Whether or not Chatham could in fact have averted the approaching disaster is a question which it is futile now to discuss, for the great statesman died suddenly on May 11, 1778. His death was evidently a relief to the King, for it left him free to pursue his own reckless policy. Though changes in the Ministry were now made, North, against his desire, remained in office.

Meanwhile, for the Americans themselves things were fast going from bad to worse. The inevitable disturbance of trade produced by the war caused great distress throughout the country, and the finances lapsed into confusion. The separate states were singularly backward in responding to the demand of Congress that they should contribute proportionately to the national expenses, and Congress itself was

¹ *Op. cit.*, vol. iv, p. 458.

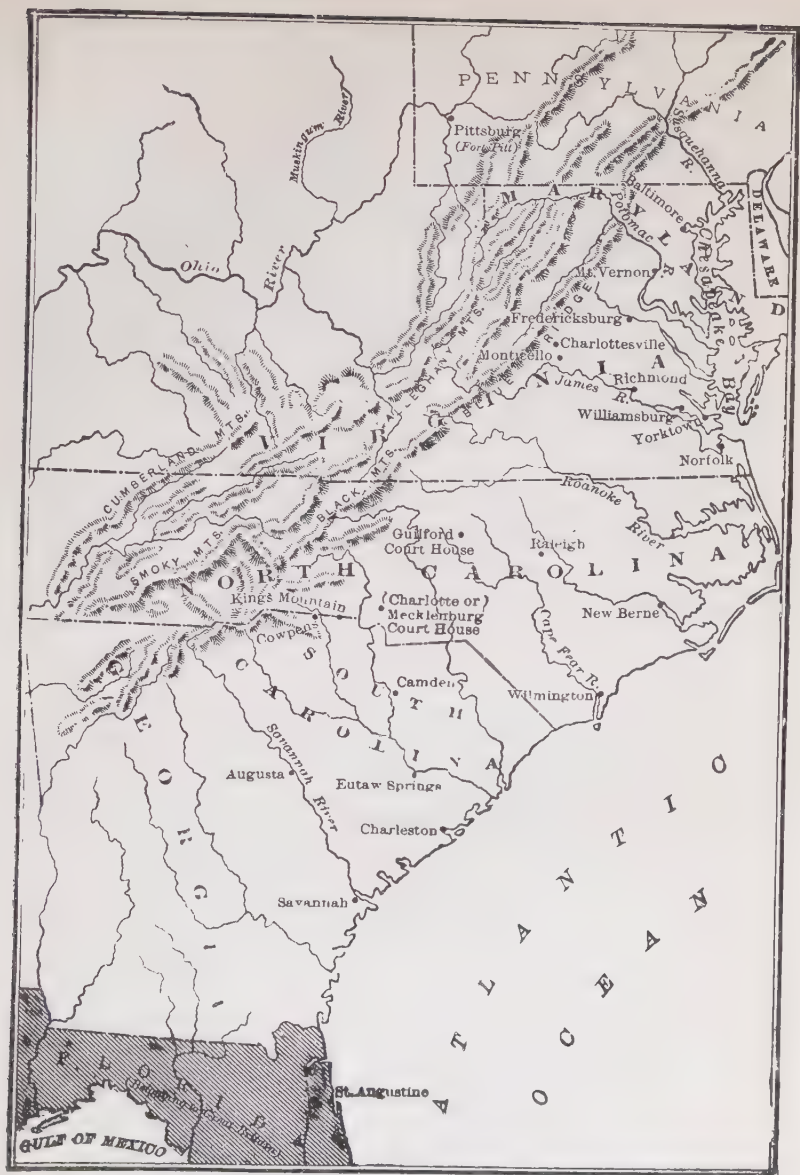
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driven to the issue of paper money, the rapid depreciation of which—a depreciation which Congress endeavoured in vain to check and which presently reached such a point that, as Washington said, it took a wagonload of money to buy a wagonload of provisions—carried widespread ruin in its train. The loan-system and other devices for raising funds were also tried with little success, and but for the timely help of the French and Spanish Governments and of some Dutch banking-houses the American cause must have collapsed for want of the sinews of war. Concurrently, the financial instability, the fluctuations of the market, the inflation of prices, and other consequences of the general disorder led, as such conditions always will lead, to extravagance, speculation, and commercial corruption. These evidences of social demoralization greatly distressed Washington,¹ while the “spirit of venality” seemed to John Adams “the most dreadful and alarming enemy America has to oppose.”² At the same time the difficulties with the loyalists were becoming more and more acute; there were many internal dissensions among the patriots themselves; and month by month the weakness of Congress was increasingly apparent.

After the evacuation of Philadelphia and the failure of the French at New York and Newport the war languished in the North, where the only event of importance was the defection of one of the most famous of the American leaders, General Benedict Arnold. In the expedition into Canada in the autumn of 1775, and in the difficult retreat of the following spring, Arnold had given ample proof of his courage and ability; he had taken a prominent part in the defeat of Burgoyne; and had he been killed instead of being severely wounded at Saratoga he would have transmitted an unsullied name to posterity as one of the heroes of the Revolution. How great was the confidence that Washington reposed in him is shown by the fact that he was left in command at Philadelphia. But there he fell under the influence of the

¹ Writings, vol. vi, pp. 91, 151, 152.

² *Familiar Letters*, p. 232.



REFERENCE MAP FOR THE REVOLUTION; SOUTHERN STATES

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local Tories,¹ who believed, as he too came to believe, that North's proposals should have been accepted and that the French alliance was a mistake. Unfortunately for him his habits of life—his prodigality, his debts, his speculations—gave a handle to his numerous enemies, and various charges of official corruption were brought against him by the Executive Council of Pennsylvania and laid before Congress. At the court-martial which followed (December 1779—January 1780) he was found guilty on two minor counts only, but though he was otherwise exonerated, it was directed that he should be publicly reprimanded for imprudence by the commander-in-chief. Washington fulfilled his painful task with the utmost gentleness, but Arnold, whose mind had earlier been embittered against Congress by the promotion of several other officers over his head, was filled with mortification and fired with a desire for revenge. In July 1780 Washington, who had closed his reprimand with the promise that he would himself furnish him "with opportunities of regaining the esteem" of his country, appointed him commander of West Point, the key of the Hudson. He had already been in secret correspondence with Sir Henry Clinton, and there is no doubt that he accepted the position, even if he did not ask for it, with the intention of delivering this all-important fortress to the British. But the British officer, Major André, to whom the final negotiations had been entrusted, and who had reached the American lines in disguise, was captured, and through the incriminating papers found upon him the whole nefarious plot was brought to light. Arnold escaped to New York and was rewarded for his perfidy with £6000 and a brigadiership in the British army.² André was tried by court-martial and hanged as a spy.

The winter which followed Arnold's treason was as anxious

¹ In the autumn of 1778 he married the beautiful Margaret Shippen, whose father was a wealthy Philadelphia gentleman of moderate Tory sympathies. Mr Shippen entertained many British officers, among them Major John André, with whom Arnold became intimate, and who was afterward the intermediary and the victim in his treacherous scheme.

² He served with the British till the close of the war, and in 1781 led an expedition against his native state, Connecticut. Hostilities over, he settled in London, where he died in 1801.

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a time for Washington as that which he had spent at Valley Forge. His main army was still in a deplorable condition ; there were many desertions and one serious mutiny among his men ; and though his devoted friend Lafayette ¹ had gone to France to arrange for the dispatch of French troops to America, and had returned in the preceding May with the promise of help, the much-needed reinforcements had not yet begun to arrive. Moreover, the whole country was suffering from war-weariness, and after five years of devastating and inconclusive hostilities was craving for peace at any price. In the North military operations were now practically at a standstill, for both Washington at White Plains and Clinton in New York were compelled to remain on the defensive. Meanwhile, however, the British, foiled in all their efforts to subdue New England, had changed their plans and had carried the war into the South. Here for some two years their vigorous campaign met with almost unbroken success. Savannah was captured in December 1778 ; in May 1780 General Lincoln surrendered at Charleston with his entire army, which included 2500 soldiers of the Continental Line ; in August Gates was routed at Camden ; and though the invasion of North Carolina was checked at King's Mountain, by the end of the year both South Carolina and Georgia were in the military occupation of the British. To the Government in London these repeated disasters to the American cause appeared overwhelming, and in March of the following year Lord George Germain, the Secretary of State, wrote to Sir Henry Clinton that nothing now could " materially obstruct the progress of the King's arms " and that he looked forward to " the speedy suppression of the rebellion." But before these confident words were penned the tide had begun to turn. After his

¹ The Marquis de Lafayette was the most distinguished of the foreign officers in the American army. Before the French alliance he had crossed the Atlantic and enlisted as a volunteer, and after the battle of Brandywine, at which he was wounded, he received, though he was then only twenty, a major general's commission from Washington, whose confidence in his military skill and judgment was repeatedly justified throughout the war by his eminent services. His unselfish enthusiasm for the cause of liberty was combined with an intense personal devotion to his commander—a most attractive feature in his chivalrous character.

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ignominious defeat at Camden Gates had been superseded by General Nathanael Greene,¹ whose remarkable intellectual qualities Washington had early recognized, and whose masterly and audacious strategy quickly changed the entire aspect of the military situation and at the same time prepared the way for the great stroke by which the war was virtually closed. Though in his own words the force at his disposal was "rather a shadow than a substance," Greene at once took the offensive, and on January 17, 1781, a division of his army commanded by Brigadier-General Daniel Morgan destroyed a British detachment under Colonel Tarleton at the battle of the Cowpens, near King's Mountain. Too weak to resist Cornwallis's advance, Greene then made a long and brilliantly conducted retreat across North Carolina, by which he lured the British commander 200 miles away from his base. Finally, on March 15, he gave battle at Guildford Court House. A fiercely contested engagement left the British masters of the field, but the victory had been so dearly bought that all the strategical advantage remained with the vanquished. Abandoning his wounded, Cornwallis hastened to the coast, reaching Wilmington, North Carolina, on April 7. Greene, returning to South Carolina, met a British force under Lord Rawdon at Hobkirk Hill, near Camden, and though defeated, cut Rawdon's communications and compelled him to fall back to Charleston (April 25). Five months later (September 8), at Eutaw Springs, Greene again suffered a reverse which, by reason of his admirably conceived plan of campaign, had all the strategical effects of a victory. The interior of South Carolina and Georgia was now cleared of the enemy, who held only the coast towns of Wilmington, Charleston, and Savannah.

While these operations were in progress Arnold, who had

¹ Nathanael Greene was the son of a Rhode Island Quaker, and while working as a boy on his father's farm had by his industry and perseverance made himself master of a very sound and varied learning. Much to the distress of the sect to which he belonged he had enlisted in the Revolutionary army as a private. He commanded the Rhode Island contingent in the siege of Boston; was afterward promoted to be major-general; and greatly distinguished himself at Trenton, Princeton, Brandywine, and Germantown.

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been wantonly ravaging Virginia, was recalled to New York, and Cornwallis himself assumed direction of what he intended to be a decisive campaign in that state. His first object was the destruction of the Virginia division of the American army, which was commanded by Lafayette. But the young Frenchman—"the boy," as Cornwallis contemptuously called him—skilfully eluded him, and after much marching and counter-marching he withdrew to Yorktown, ten miles from the mouth of the York River, which he proceeded to fortify, and where he decided to await reinforcements. In the meantime (July 1780) a French fleet had arrived at Newport bringing the Count de Rochambeau and 6000 men. For a whole year these had remained in Rhode Island in enforced idleness. But Washington, on learning what was happening in Virginia, saw that the moment for swift action had at last come. Cleverly misleading Clinton as to his intentions by a feigned movement against New York, he directed the French naval commander de Grasse to move his squadron at once from the West Indies to Chesapeake Bay, while he and Rochambeau with their combined armies marched rapidly south through Princeton, Trenton, and Philadelphia, reaching the head of the Bay on September 5. The siege was immediately begun. Cornwallis was now entrapped, and finding himself surrounded by superior forces on land and sea and held "in an iron grip from which there was no escape,"¹ he surrendered on October 19, with his entire army, 7000 strong.

Before we proceed to the results of this catastrophe we may pause for a moment to consider the war as a whole. On a general view it is difficult to form an opinion regarding the relative chances of success with which the combatants entered upon the contest, for while on the one hand the British were overwhelmingly superior to the Americans in numbers, wealth, and material resources, on the other hand their advantages in these respects were offset by their difficulties in carrying on hostilities against an enemy dispersed through a vast country geographically favourable to resistance and separated from England by 3000 miles of sea. Great as these difficulties were,

¹ Lodge, *Washington*, vol. i, p. 309.

GENERAL WASHINGTON,
FOR THE DEFENCE OF THE
LIBERTIES AND INDEPENDENCE
OF THE UNITED STATES.

Tuesday, Wednesday, Thursday, Friday and Saturday

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The inscription at the bottom reads :

"The encouragement, at this time, to enlist is truly liberal and generous, namely, a bounty of twelve dollars, an annual and fully sufficient supply of good and handsome clothing, a daily allowance of a large and ample ration of provisions, together with sixty dollars a year in gold and silver money on account of pay, the whole of which the soldier may lay up for himself and friends, as all articles proper for his subsistence and comfort are provided by law without any expense to him.

"Those who may favour this recruiting party with their attendance as above, will have an opportunity of hearing and seeing in a more particular manner, the great advantages which these brave men will have, who shall embrace this opportunity of spending a few happy years in viewing the different parts of this beautiful continent, in the honourable and truly respectable character of a soldier, after which, he may, if he pleases, return home to his friends, with his pockets full of money and his head covered with laurels."

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however, it would appear that they need not have proved insuperable ; indeed, as we have seen, the British were more than once on the very verge of victory. That in the end they failed to crush the colonists was due to the fact that from first to last the war was fatally mismanaged. It is not only that the British commanders were men of markedly inferior quality. Far more serious than the military incompetence of these were the ignorance and shortsightedness of the Government. The King and his ministers plunged into the struggle with little sense of the magnitude of the task which they had undertaken. They underrated the strength and determination of the patriots ; they overrated the power and influence of the loyalists ; and acting accordingly in the fatuous belief that the rebellion could easily be quelled—the speech from the throne in the autumn following the Declaration of Independence contained the specific assurance that only one more campaign would be necessary to bring it to a close—they sent absurdly insufficient forces into the field. This was their initial mistake ; and when at length they began to realize the true nature of the American war it was too late, for by that time they had involved themselves in a general war with, after England, the three most powerful naval states in Europe—France, Spain, and Holland. Thus they lost their opportunity. Whether or not the Americans would ultimately have succeeded without the assistance of France must be left an open question. That such assistance in fact determined the issue is, of course, clear.

THE TREATY OF PEACE

When on November 25 news of the disaster at Yorktown was carried in hot haste by Lord George Germain to Lord North, the Prime Minister, shocked for once out of his customary frivolity, exclaimed, “ Oh God ! It is all over ! ” So far as America was concerned this was practically true, for the desultory fighting which continued in the South was without importance. The King’s speech to Parliament was, indeed, full of bluster, but though George himself was still obstinately set against peace circumstances were now too

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strong for him. A motion urging him to end the war was carried in the Commons on February 27, 1782. In the following month the North Ministry fell, and infinitely to his chagrin the King was compelled to accept a Whig Ministry, which included such firm friends of America as Rockingham, Shelburne, Fox, Barré, Sheridan, and, later, young William Pitt, all of whom took office with the avowed intention of bringing the war to a close.¹ And here in passing we may note the reaction of the American Revolution upon the course of political affairs in England. George III's determined attempt to overthrow Parliamentary responsibility and to set up a one-man power was frustrated by the triumph of democracy on the other side of the Atlantic, and constitutional government was restored. Though complicated, as is inevitable in all such cases, by many other issues, the long struggle between the colonists and the home country had been at bottom a struggle of principles, and the establishment of the principles for which the colonists had at last appealed to arms meant English liberty as well as American independence. In fact, as Sir Edward Thornton, when British minister to the United States, told the Americans in 1879, "Englishmen now understand that in the American Revolution you were fighting our battles."

To negotiate terms of peace Congress appointed five commissioners—Franklin, minister to France, Jay, minister to Spain, John Adams, Henry Laurens, who had been president of Congress, and Jefferson. But Jefferson declined to serve, and Laurens, who had been captured by the British on his way to Holland to arrange a loan and was still a prisoner in the Tower of London, did not join the commission till later; and thus the preliminary work devolved upon the other three. Congress had enjoined its representatives to enter into no engagements without the full knowledge and consent of France. But Jay, while in Spain, had become doubtful of the good faith of the Bourbon Governments, and as he had the support of Adams, Franklin, who did not himself share his

¹ Rockingham, who was already in ill-health, died in July; Fox then resigned, and Shelburne became the head of a reconstituted Ministry.

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colleagues' suspicions, finally agreed that the commissioners should ignore their instructions and deal directly with Great Britain. In the long and delicate negotiations which followed the Americans conducted their case with extraordinary skill and firmness, and the terms which in the end they obtained were so favourable that Vergennes was astonished, and perhaps a little disappointed, at their success. "Preliminary Articles" were signed on November 30, 1782, and the Definitive Treaty on September 3, 1783. Under the latter the independence of the United States was recognized, and their boundaries fixed at the Great Lakes and Canada on the north, at the Mississippi on the west, and at Florida on the south. The Mississippi was declared open to the navigation of both countries, and the Americans were granted full fishing rights on the Newfoundland Banks. On their side the Americans agreed that Congress should "earnestly recommend" to the states the payment of all debts due to British merchants and the passing of Relief Acts for the restoration of the property and the protection of the persons of the loyalists; but these provisions were so displeasing to some of the states that they refused to carry them out.

Though peace was everywhere received with immense satisfaction, the country, exhausted and drifting toward anarchy, was now in a condition of dangerous unrest. In particular, there was serious disaffection among the soldiers, whose pay was long in arrears, and who now felt that, on the disbanding of the army, they were to be sent back to their homes with no adequate reward for all their hardships and sacrifices. In December 1782, while the main body of the troops was stationed at Newburg on the Hudson, the officers dispatched to Congress a strongly worded address of protest and warning on behalf of themselves and their men. Some of them even approached Washington with the proposal that the army should make him king—a suggestion which he rejected with a stern rebuke to those who offered it: "No occasion in the course of the war," he told them, "has given me more painful sensations than your information of there being such ideas existing in the army, as you have expressed, and I must

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view with abhorrence and reprehend with severity." The discontent, however, increased during the ensuing months, and in March 1783 a great effect was produced by an anonymous paper (supposed to have been written by John Armstrong, aide-de-camp to General Gates) of a highly inflammatory character which was circulated among the troops. Happily Washington, who in the interval had been doing his utmost to induce the distracted Congress to meet the just demands of the soldiers, was again equal to the occasion. Alive to the danger of a military rising, he called the officers together, and taking his glasses from his pocket with the apologetic words, "Gentlemen, you will permit me to put on my spectacles, for I have not only grown grey, but almost blind, in the service of my country," he read an address¹ so manly in its patriotism and so impressive in its simple eloquence that his hearers, deeply moved—many of them to tears—unanimously decided to leave their interests entirely in his hands. On his urgent representations Congress resolved that the soldiers should receive five years' full pay in Government certificates. As its treasury was empty, this was the best it could do; and in general the army was satisfied.

Three months after the signing of the treaty of peace—on December 4—Washington, "with a heart full of love and gratitude," took formal leave of his officers. On the 19th he appeared before Congress to receive the thanks of the nation and to relinquish his command. Pure and disinterested to the end in his patriotism, he thought nothing even now of personal aggrandizement, but, his task accomplished, desired only to return to his home at Mount Vernon, where, as he said, he "would rather live in quiet retirement than to be the emperor of the world." His valedictory words had the characteristic ring of nobility and dignity: "I consider it as an indispensable duty to close this last act of my official life by commending the interests of our dearest country to the protection of Almighty God, and those who have the superintendence of them to His holy keeping. Having now finished the work assigned me, I retire from the great theatre of

¹ See writings, vol. x, pp. 170 *et seq.*

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action, and bidding an affectionate farewell to this august body, under whose orders I have so long acted, I here offer my commission, and take my leave of all the engagements of public life."

This memorable occasion may be regarded as the final scene of the Revolutionary drama.



CORNWALLIS'S WANDERING CAMPAIGN
IN THE SOUTH

CHAPTER III

THE MAKING OF THE CONSTITUTION

IN June 1783, a few months before the army was formally disbanded, Washington wrote in a circular letter to the state governors, "It is yet to be decided whether the Revolution must ultimately be considered as a blessing or a curse." With his customary clearness of vision that great leader perceived that having won its independence by success in war the country would at once be confronted by the problems and perils of peace. Under pressure of common danger the colonies had been compelled to act together ; but even so their organization had been extremely defective ; and now that the common danger was removed it remained to be seen whether the thirteen separate little republics could so be welded together as to become the United States of America in fact as well as in name. The task of consolidation was one of immense difficulty, and in England there were many political thinkers who firmly believed, as of course they fondly hoped, that it would prove impossible. Thus, for example, Josiah Tucker, Dean of Gloucester, a very able Tory publicist, scouted the idea that America could ever become " a rising empire under one head " as " one of the idlest and most visionary notions that was [*sic*] ever conceived by writers of romance," since the " mutual antipathies and clashing interests " of the different sections of the population would condemn them to remain " a disunited people till the end of time." To men of the Dean's school of imperialistic thought it seemed self-evident that, lacking cohesive power within and deprived of all support from without, the new nation would soon go to pieces.

We have now to trace the steps by which that catastrophe was averted and the problem of federal union finally solved.

MAKING OF THE CONSTITUTION

THE CONFEDERATION OR LEAGUE OF FRIENDSHIP

We have seen that when the war began the Continental Congress, composed of delegates from the thirteen states, was the only body which represented the commonwealth as a whole and was competent to act in its general interests. In that capacity it proceeded to exercise the functions of a general Government ; it declared independence ; it appointed a commander-in-chief ; it issued paper currency ; it borrowed money on national credit ; it entered into treaties with foreign nations ; and finally, through its agents, it negotiated terms of peace. It did all these things, however, with the tacit consent only of the states, which gave it their support because, in existing conditions, concerted action was an absolute necessity. But it was none the less a revolutionary Government, without constitutional basis or authority ; and while it assumed the right to act in the name of all the states represented by it, it had no power to impose its will upon any of them. Moreover, as the war ran its course, it lost more and more of its prestige, while on the other hand, under their reorganized governments, the separate states developed an intense feeling of local patriotism. Hence one noteworthy feature in the political evolution of this critical period was a marked increase in the centrifugal or particularist tendency. For the time being the movement throughout the country was toward disintegration rather than toward union.

Meanwhile the problem of national organization had been attacked in earnest, for when the committee of the Continental Congress was appointed to draft the Declaration of Independence another committee was at the same time entrusted with the task of preparing a form of " Articles of Confederation and perpetual union." On June 12, 1776, the results of their deliberations were laid before Congress by their chairman, John Dickinson ; but the scheme was not adopted till November 15, 1777, and not ratified by all the states till March 1, 1781. This long delay in reaching conclusions satisfactory to all the contracting parties was itself significant, since it was due to the large number of contentious matters

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upon which the states found it almost impossible to agree. There were difficulties about the powers to be delegated to the central Government, about the regulation of internal commerce, about the settlement of disputes within the union. The questions of voting and the distribution of common expenses among the states gave rise to protracted and acrimonious controversy.¹ But the most serious bone of contention was the disposal of the Western lands—the lands lying between the Alleghanies and the Mississippi. Seven states—Massachusetts, Connecticut, New York, Virginia, North Carolina, South Carolina, and Georgia—taking their stand on charter privileges, or deeds of cession, or rights of conquest, as the case might be, laid claim to various portions of this undeveloped country. The other six states, shut in by their neighbours, and therefore deprived of all further territorial pretensions, maintained that each state should be confined within certain definitely fixed boundaries, and that these outlying lands—‘Crown lands’ as they were formerly called—should be owned by the United States as a whole, to be used for the payment of the expenses of the war and other joint purposes, and ultimately to be laid out by the central Government “into separate and independent states from time to time as the numbers and circumstances of the people thereof may require.” The problem thus raised was a very important one, for it involved the entire question of the political position and government of those new communities which, as the tide of population flowed westward, would be certain to grow up in what for the present was little more than a wilderness. In this momentous dispute Maryland took the lead on the national side, and by her stout refusal to ratify the Articles of Confederation until all the demands

¹ In the discussion on the method of voting the point at issue was whether the number of votes of each state should be proportionate to its population or whether all the states, irrespective of relative population, should have equal voting power. Fearing that in the former case their larger neighbours would acquire an illegitimate and dangerous preponderance the smaller states insisted upon the alternative plan. On the question of the assessment of revenue, on the other hand, they demanded that all national expenses should be distributed in accordance with relative wealth. On both these points the smaller states ultimately carried the day.

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of the claimant states had been extinguished she was mainly instrumental in establishing the principle of national ownership, though a complete settlement of all the details of the controversy was not reached for many years. So far as the ceded lands north of the Ohio were concerned,¹ it was therefore resolved, in October 1780, that (with the exception of a strip along Lake Erie which was retained by Connecticut under the name of the Western Reserve) these were to be "disposed of for the common benefit of the United States" and to "be settled and formed into distinct republican states which shall become members of the federal union." In accordance with this resolution an ordinance was passed in April 1784 providing for representative government in the new territories as soon as their increase in population justified its establishment. This ordinance, indeed, never went into effect, but it served to show that the importance of the westward movement was now fully recognized, and it prepared the way for a second ordinance, which was passed in June 1787, and which by its statesmanlike grasp and foresight proved that Congress was still able to rise to the requirements of a great occasion.² This ordinance decreed the immediate establishment of a provisional Government on the colonial plan—a Government consisting of civil and military authorities appointed by and responsible to Congress; but it also provided that when the free adult male inhabitants of the new territory should reach the number of 5000, then representative institutions should be introduced, and that when the free population amounted to 60,000 the new territory should be admitted to the Federal Union on terms of equality

¹ This great North-west Territory now comprises the states of Ohio, Indiana, Illinois, Wisconsin, and Michigan, together with a portion of Minnesota.

² In the interval the westward (or second colonizing) movement had been greatly strengthened by the formation by a number of New England men in 1786 of the Ohio Company, the object of which was to purchase lands and promote settlements in the Ohio valley. This enterprise laid the foundations of the future state of Ohio, and led directly to the ordinance of 1787. Its moving spirits were two revolutionary officers, Generals Rufus Putnam and Samuel H. Parsons, and a doctor of divinity who was also a very shrewd man of business, Manasseh Cutler.

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with the original states. But these measures referred only to the Western country north of the Ohio. In the South such settlement as was made was in the form of a compromise ; for Virginia was allowed to retain the lands then constituting Kentucky County, while North Carolina was granted jurisdiction over what was then known as Washington County—the present Tennessee.¹

Unsatisfactory as it was, this settlement was none the less accepted by Maryland, and with her assent finally obtained, the ratification of the Articles of Confederation was complete. The League of Friendship thus formed was, however, an extremely imperfect and unstable political organization. It was, in fact, not a real organization at all, but merely a loose assemblage of states, each one of which, as it was formally stipulated, was to retain "its sovereignty, freedom and independence," while the powers "expressly delegated" to the central Government were scarcely more extensive than those which the feeble Continental Congress had hitherto exercised. The tenacity with which the states clung to their rights was shown by the fact that the votes of nine out of the thirteen were required to carry any measure of importance ; which meant, of course, that five states in combination could block any national action, however urgent. No provision was made for a national judiciary, nor had the country any executive head, for the president of Congress was president of Congress only and possessed no more power than any other member. Other and more serious defects in the Federal system arose from the same persistent dread of centralization ; for Congress was vested with no authority to raise money, or to regulate commerce, or to enforce the obedience of any state which might prove refractory to its rulings. Hence the Confederation was entirely lacking in all those qualities of cohesion without which, as Washington had pointed out in his circular letter, the union could not be "of long duration."

¹ Kentucky was admitted as a state in 1792. In 1784-85 the Washington County settlers organized for themselves the state of Franklin, but after incessant quarrels with the North Carolina Government their territory was ceded to the United States in 1788 under its present name. It was admitted to the Union in 1796.

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In such a condition of things, indeed, the position of Congress as the nominal centre of the entire system was clearly untenable. It "had no power to prevent or punish offences against its own laws, or even to perform efficiently the duties enjoined upon it. It alone could declare war, but it had no power to compel the enlistment, arming, or support of an army. It alone could ascertain the needed amount of revenue, but the taxes to fill the requisitions could only be collected by the State legislatures at their own pleasure. It alone could borrow money, but it had no power to repay. It alone could decide territorial disputes between the States, but it had no power to compel either disputant to respect or obey its decisions. It alone could make treaties with foreign nations, but it had no power to prevent individual State legislatures or private citizens from violating them at pleasure."¹ Thus "with some of the outward seemings of a government, and with many of its responsibilities, it was not a government."²

Evidently, therefore, the Articles of Confederation failed to achieve their ostensible purpose—the organization of the separate commonwealths into a compact and united nation. In a striking phrase in which he crystallized the jealous regard of all the states for their autonomous rights and their fear of the reappearance of the old imperial tyranny under another form, Richard Henry Lee of Virginia had declared that he would rather see the national Government "a rope of sand than a rod of iron." Under the system now established it was certainly little better than a rope of sand.

While, however, it is easy for us now to perceive the radical weaknesses in this first experiment in union, we must not hastily ascribe them to the deficient statesmanship of the men who were responsible for them. The problem of reconciling the conflicting interests of the local governments with those of the nation as a whole presented enormous difficulties, and we cannot be surprised that it was not immediately

¹ Alexander Johnston, *American Political History*, vol. i, pp. 60-61.

² A. C. McLaughlin, *The Confederation and the Constitution*, pp. 50-51.

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solved. Moreover, it must be remembered that this was the first time in history that federation on so large a scale had been attempted, and that the nation-makers were therefore pioneers, who had to face an entirely new set of political conditions, and had no precedent to guide them. But their inevitable errors were errors from which wisdom was soon learned, and their failure pointed the way to ultimate success.

THE FAILURE OF THE CONFEDERATION

It is conceivable that, feeble and unsound as it was, the Confederation might have served its purpose of holding the states together, for a time at least, in a period of internal peace and prosperity. In the general conditions of the country, however, its essential weaknesses quickly became apparent. The financial strain which resulted from the war was now felt far more acutely than had been the case during the war itself. The states were drained of their gold to pay for foreign commodities; and the paper currency which was issued to supply the deficiency underwent rapid and disastrous depreciation. Business suffered; poverty increased; discontent grew rife. There were riots and disorders in many parts; Rhode Island was in a ferment; in Western Massachusetts Daniel Shays, a captain of the Revolutionary war, at the head of some 2000 malcontents, mostly farmers, tried to close the courts, overthrow the magistrature, and put a stop to all suits against debtors. At the same time, to make matters worse, in the absence of any general control of internal commerce the separate states pursued a purely selfish policy, and for the protection of their local interests did not hesitate to make open tariff war upon one another. To thoughtful and conservative men such industrial confusion and social unrest were like the handwriting on the wall. They saw that the country was drifting toward chaos, and were filled with consternation.

Even before the Articles had been ratified their failure to establish that "solid coercive union" which was essential to the welfare and even to the existence of the nation had been emphasized by Alexander Hamilton in a remarkable

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letter to a friend;¹ and after the Confederation had been adopted that same brilliant young statesman—he was then only twenty-five—publicly returned to the charge. “There is,” he wrote, “something . . . diminutive and contemptible in the prospect of a number of petty states, with the appearance only of union, jarring, jealous and perverse, without any determined direction, fluctuating and unhappy at home, weak and insignificant by their dissensions in the eyes of other nations.”² There were men of weight in Congress who held the same views, but though various attempts were made to improve and strengthen the Confederation, all the proposed amendments were blocked, now by one state, now by another. At length, however, it came to be very generally recognized that the confusion into which the commercial affairs of the country were lapsing was fast growing intolerable; and as Congress itself seemed impotent to act, the idea of a convention to be elected expressly to revise the Articles—an idea which had been broached by Hamilton in the letter already referred to and a little later by Tom Paine in his pamphlet *Public Good*—began to gain ground. This idea took definite shape in September 1786, when the representatives of New Jersey, New York, Pennsylvania, Delaware, and Virginia met at Annapolis to consider the question of their commercial relationships, for though nothing otherwise was accomplished by them, they unanimously adopted Hamilton’s suggestion that a convention of all the states should be summoned to scrutinize the Articles and “devise such further provisions as shall appear to them necessary to render the constitution of the federal government adequate to the exigencies of the union.” Though still unwilling to resign its authority to any other body, Congress was now forced to yield to the increasing pressure of public opinion, and on February 21, 1787, it was resolved that such a convention should be held.

THE FEDERAL CONVENTION

Little time was lost in carrying this resolution into effect, and in the May following the Convention accordingly met in

¹ Works, vol. i, pp. 150 ff.

² *Ibid.*, vol. ii, p. 201.

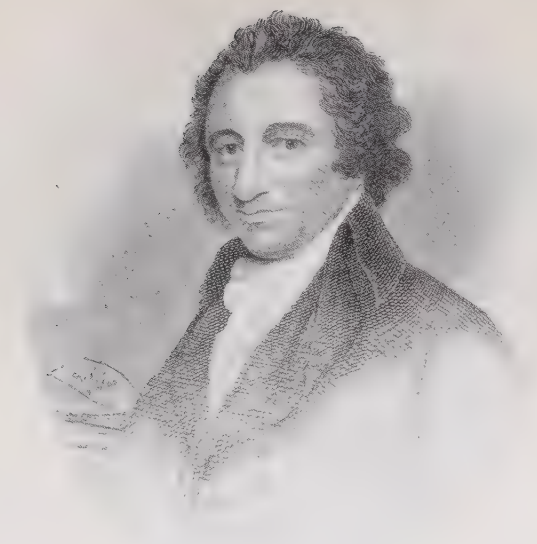
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the old State House in Philadelphia—the plain brick building from which the Declaration of Independence had been issued to the world eleven years before. In the early stages of its debates eleven states only were represented ; but the later appearance of the delegates from New Hampshire brought the number up to twelve. Rhode Island alone refused from first to last to take any part in the proceedings.

The fifty-five members of whom this important assembly was composed undoubtedly brought to its deliberations the best intellect, the soundest judgment, and the ripest political experience in the country. Furthermore, they were on the whole men of pronouncedly conservative temper. The most distinguished of them were, of course, Washington, who had reluctantly consented to form one of the Virginia delegation, and who was unanimously elected president, and Franklin, who had begun his work for national union at the Albany Congress in those far-off colonial days before independence had been dreamed of, and now at eighty-one was to put the coping-stone to his life's labours. Other men of special prominence were James Madison¹ and Edward Randolph from Virginia ; Alexander Hamilton from New York ; Robert Morris, who had done heroic work for the nation as superintendent of finances, from Pennsylvania, and his colleague, Gouverneur Morris, who was chiefly responsible for the phrasing of the Constitution in its final form ; and William Samuel Johnson and Roger Sherman from Connecticut. Representative as the body was, however, there were a few acknowledged leaders who were conspicuous by their absence from it. Jefferson and John Adams were in Europe, the one as ambassador to France, the other as ambassador to England ; Jay was fully occupied with his duties as Secretary for Foreign Affairs ; and Samuel Adams and Patrick Henry were such strong supporters of state rights that they regarded the Convention with unqualified disapproval.

In the terms of the resolution of Congress which had

¹ It is to Madison's very full private journal, published after his death half a century later, that we are mainly indebted for our knowledge of the proceedings of the Convention, which took place in absolute secrecy.



THOMAS PAINE
After a painting by Romney



THE OLD STATE HOUSE, PHILADELPHIA

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called it together, the business of the Convention was to amend the Articles of Federation. Its very first step, however, was, in effect, to throw these articles aside ; which done, it proceeded to open up afresh the whole problem of national government. Serious differences of opinion at once arose among the delegates both in their individual capacities and as custodians of the interests of the states which they respectively represented, and the debates which followed at every stage of the proceedings were long and often stormy. In the end the principles of the Constitution, as accepted, were reached by a series of compromises on almost every vital point. It would be impossible here to deal with these in detail, but the most important of them are so essential to a proper understanding of the Constitution that they deserve a little consideration.

The first struggle took place over the old question at issue between the larger and the smaller states. According to what was known as the Virginia Plan, prepared by Madison and introduced by Randolph, the legislative body, or Congress, was to consist of two houses, the representation in each of which was to be based on population ; while for the further strengthening of the central Government a national executive and judiciary were to be appointed by Congress. This scheme was opposed by the small states, on the ground that it would deprive them of their local rights and enable the large states to obtain a monopoly of political power. An alternative scheme—the New Jersey Plan—was thereupon laid before the Convention ; this was designed to retain the general machinery of the existing Government and the principle of equality of voting, though Congress was to be vested with authority to regulate commerce, raise money by requisitions, and “ enforce and compel ” any refractory state to fulfil its Federal obligations. Other schemes were also discussed, but the choice practically lay between these two ; the crux of the difficulty being the question of proportional against equal voting. With modifications which did not touch this essential point the Virginia Plan was presently adopted ; upon which the small states threatened to withdraw from the Federation.

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Finally the matter was settled by the Connecticut Compromise, which gave the states equal representation in the upper house or senate, while in the lower house proportional representation was established.¹

Out of this settlement, however, arose another controversy, which turned on the question whether in the apportionment of representation in the lower house slaves, who, of course, had themselves no vote, should or should not be included in the census. Here the division was between the slave-holding states in the South and the Northern states from which slavery was rapidly disappearing. The Southern states demanded that slaves should be counted for purposes of representation, but not for purposes of taxation. The Northern states took the diametrically opposed view that as slaves were legally regarded as chattels they should be counted for taxation, but not for representation. In this case a compromise was reached through the 'three-fifths rule' proposed by Madison, by the acceptance of which it was agreed that both representation and direct taxation should be apportioned among the states according to their total populations (Indians omitted), but that for purposes of enumeration five slaves were to be reckoned as equivalent to three persons. By this compromise the Southern states obtained an advantage the full significance of which became apparent in later years.²

Divergence of economic interests between the Northern and the Southern groups was the third great source of trouble. Industrial New England wanted to prohibit the importation of slaves, and also to provide for the amplest control of commerce by the central Government. Georgia and South Carolina replied that slave-labour was indispensable to them, and that such prohibition would entail their ruin; while the agricultural South generally viewed all restrictions on commerce unfavourably as likely to interfere with their exports. The variety and complexity of the questions involved made this controversy an exceedingly difficult one. It was at length

¹ See Constitution, Article I, Sections 2 and 3.

² *Ibid.*, Article I, Section 2.

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closed by what Gouverneur Morris called a "bargain" between the rival sections. New England consented that the foreign slave-trade should be prolonged for another twenty years—that is, till 1808—by which time it was confidently hoped that the institution of slavery would have died a natural death; while Georgia and South Carolina, on the further understanding that no exports should be subject to taxation, agreed that Congress should be empowered to pass measures for the regulation of commerce by a simple majority of votes.

The effect of these compromises will be readily seen. The first broke down the opposition to the Union of the smaller states. The second secured the adherence of the South. By the third free trade was established throughout the Union under the supreme control of the central Government, and those commercial jealousies and misunderstandings which had threatened to plunge the country into anarchy were brought to an end.

These initial difficulties surmounted, the Convention passed on to the consideration of the distribution of functions between the states and the Federal authority; the problem being, in Madison's words, "to draw a line of demarcation which would give to the general Government every power requisite for general purposes, and leave to the states every power which might be most beneficially administered by them."¹ Much time was necessarily spent over this intricate and delicate subject; and much also over the more practical questions connected with the machinery of government. Thus it was not till September that the labours of the Convention were completed. The Constitution was then drafted by Gouverneur Morris and signed by thirty-nine delegates from the twelve states represented. Thirteen delegates purposely absented themselves at the time, while three others—Gerry of Massachusetts and Randolph and Mason of Virginia—though present, withheld their assent.

How far the Convention as a whole was satisfied with its great work now that it was finished it would be difficult to

¹ *Letters*, vol. i, p. 344.

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say. But we know the feelings of one of its number—the patriarch of the assembly. “Whilst the last members were signing,” Madison tells us, “Dr Franklin, looking towards the President’s chair, at the back of which a rising sun happened to be painted, observed to a few members near him, that painters had found it difficult to distinguish, in their art, a rising from a setting sun. ‘I have,’ said he, ‘often and often, in the course of the session and the vicissitudes of my hopes and fears as to its issue, looked at that behind the President, without being able to tell whether it was rising or setting ; but now, at length, I have the happiness to know that it is a rising and not a setting sun.’ ”¹

THE RATIFICATION OF THE CONSTITUTION

On September 17, 1787, the Federal Convention broke up. On the 20th the draft of the Constitution was laid before Congress with an accompanying letter from Washington. After a week’s sharp discussion Congress resolved that the new Constitution should be submitted to the states for ratification or rejection. The decision, however, was to rest, not with the state legislatures, but, in accordance with the recommendation of the Convention, with state conventions elected expressly for the purpose.

Most of the states proved willing to adopt the Constitution without much hesitation or demur ; but in some of them—notably in Virginia, Massachusetts, and New York—there was a hard contest between two parties now bitterly opposed to each other on fundamental principles—the Federalists, who supported the Constitution because they believed in a strong “consolidated” Government, and the Anti-Federalists, who condemned it because it seemed to them to sacrifice the rights and liberties of the separate states and to point toward a centralized tyranny. In New York the struggle was specially important, because it produced, in a series of essays first published in various newspapers under the title of *The Federalist*, one of the most masterly and illuminating of all the many commentaries on the Constitution. Though they

¹ *American History told by Contemporaries*, ed. Hart, vol. iii, pp. 227–228.



JAMES MADISON
 (Madison) of the United States, 1800-17



GOUVERNEUR MORRIS
 After a painting by A. Chappell

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bore the common signature of 'Publius,' these were the work of three writers—Hamilton, Jay, and Madison. More than half of the papers, however, were from the pen of Hamilton, who with calm and cogent logic, and in an admirably clear and simple style, exposed "the insufficiency of the subsisting federal government,"¹ dwelt upon the necessity of such a union as would be possible only under the system now proposed, and analysed that system in detail to show that it would actually secure both the liberties of the states and the welfare of the nation.

According to Article VII, the Constitution was to go into effect when it had received the assent of nine states. Its ratification by the New Hampshire Convention in June 1788 completed "the federal arch." Later in the same month Virginia entered the Union. New York followed, though by a very narrow majority of votes, in July. But North Carolina did not ratify till November 1789, and Rhode Island continued to hold aloof till May 1790.²

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To realize what was actually accomplished by the Constitution, stress must be laid upon the most vital point of difference between the system of government established by it and that which had failed so signally under the preceding *régime*. The old Confederation had been a loose aggregation of independent states and of states only—"a league formed by state legislatures, ratified by state legislatures, and checked, controlled, and dominated by state legislatures."³ The new Federal Republic was a union not merely of the states, but also of the people. It was the people of all the states who were now incorporated into the larger unity of

¹ *Federalist*, No. 1.

² One objection made by the Anti-Federalists to the Constitution was that it contained no Bill of Rights as a guarantee of the liberties of the individual. This objection was ultimately removed by ten amendments proposed by various states during the discussions on ratification and adopted by Congress in 1791. These were then appended to the Constitution and form an integral part of it.

³ Johnston, *op. cit.*, vol. i, p. 59.

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the commonwealth. Under the Confederation the individual citizen was a citizen only of his own state ; he was confined within state lines ; he had no direct or personal relationship with the central Government. Under the Republic now inaugurated each individual, without ceasing to be a citizen of his own state, became at the same time a citizen of the United States as well ; he was bound by the laws of Congress no less than by those enacted by his local legislature ; and henceforth he owed allegiance at once to his state and to the nation. This principle of double allegiance, with all that it implies, may be regarded as the corner-stone of the Constitution.

According to the specific guarantee contained in the Tenth Amendment, " The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people." Each state is thus left in control of its own domestic and internal affairs. The sphere of the national Government, on the other hand, was made coextensive with all the general and corporate interests of the nation as a nation. It therefore embraces war, peace, and foreign relationships ; the army and navy ; commerce both with foreign countries and between state and state ; copyright and patents ; the post office ; and taxation for the foregoing and all other general purposes (Article I, Section 8).

One of the most important features of this national government is the careful distribution of its powers into three departments—the legislative, the executive, and the judiciary.¹ The American system of government may therefore be analysed as follows :

¹ Emphasis must be laid upon the significance of this separation of functions. In defending the Constitution against the objection of the Anti-Federalists that it violated " the political maxim " that the three departments of government " ought to be separate and distinct," Madison wrote : " The accumulation of all powers, legislative, executive and judiciary, in the same hands, whether of one, the few or many, and whether hereditary, self appointed or elected, may justly be pronounced the very definition of tyranny " (*Federalist*, No. 47). It was precisely the possibility of such an accumulation of powers which the makers of the Constitution were most anxious to prevent.

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(1) *The Legislative.* This department is formed of a Congress which itself is divided into two chambers :

- (a) The House of Representatives, " composed of members chosen every second year by the people of the several States " " according to their respective numbers " (Article I, Section 2).
- (b) The Senate, composed of two members from each state, elected for a term of six years by the state legislatures (Article I, Section 3).

(2) *The Executive.* The head of this department, who is therefore the chief executive officer of the nation, is the President, who is elected for a term of four years, not directly by the people, nor by the state legislatures, but by the so-called electoral college—a body itself elected by the states for this specific purpose. His principal duty is to execute the laws (Article II, Section 1). But he also possesses other and very ample powers ; for he is commander-in-chief of both army and navy (Article II, Section 2) ; his approval is necessary before any Bill can become law ; and he can also exercise, within certain defined limits, the right of veto (Article II, Section 7).¹

(3) *The Judiciary.* The judicial power of the Government is vested in a Supreme Court and " in such inferior courts "—circuit courts and district courts—" as the Congress may from time to time ordain and establish " (Article III, Section 2). The creation of this central judicial authority may be regarded as the greatest achievement of the Convention. No such authority, it will be remembered, had existed under

¹ The clauses dealing with the executive were among the most hotly contested in the Constitution. Some of the delegates, fearing that the appointment of " a single magistrate " would introduce the thin end of the wedge of despotism, advocated the establishment of an Executive Council of three or five. After this proposal had been rejected, there was further discussion as to the President's tenure of office. The strongest supporters of stability in government were in favour of a long term—of seven or ten years. Hamilton, who had marked leanings toward monarchy, and believed the British Constitution to be the " best model in existence " (H. C. Lodge, *Alexander Hamilton*, p. 59), even desired the Presidency to be made a life-office.

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the old Confederation, and in its absence the Government had been impotent to make its will prevail. Its establishment meant that henceforth the Government was empowered to enforce its own laws on the people of the nation in every state throughout the union; and this was a guarantee that the "Constitution and the laws of the United States" should be "the supreme law of the land" (Article VI). Moreover, in addition to the very large powers bestowed upon the Supreme Court (Article III, Section 2), it at once assumed another power, not specifically granted by the Constitution, though obviously implied in it—that of adjudicating in case of necessity upon the character of any act, either of a state legislature or of Congress itself, and of declaring any act null and void which does not conform with the Constitution.¹ This unique power of interpreting the Constitution has given the Supreme Court an immense influence in the Commonwealth. It has enabled it to safeguard the Constitution not only against the states, but also against any error or usurpation on the part of Congress.²

It is evident that it was a chief object of the framers of the Constitution to devise a system of "checks and balances" in which the powers of government should be so divided among the three departments that each should in a measure control and restrain the actions of the others. With such sagacity and foresight was this task accomplished that in the apparently elaborate but really simple instrument, as it left their hands, the problem of federation was at length successfully solved. That it was an absolutely perfect instrument cannot, of course, be maintained. In some respects, as the test of experience was to show, it was inadequate. A number of questions were left unsettled by it; it necessarily made no provision for difficulties which were bound to arise with the further evolution of the nation; in various particulars it worked in ways which had not been intended or foreseen. Some of the consequences of these failings will

¹ The exercise of this power had been foreseen by Hamilton, who had emphasized its necessity in a 'limited,' or written Constitution.

² On this point see Bryce, *American Commonwealth*, vol. i, pp. 252-254.

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become apparent in the subsequent course of this narrative. But the real wonder is, not that it was faulty on this point or on that, but rather that time and criticism alike have served only to bring its essential greatness into clearer relief. As Mr Bryce has said, the Constitution of the United States "deserves the veneration with which Americans have been accustomed to regard it. . . . After all deductions, it ranks above every other written constitution for the intrinsic excellence of its scheme, its adaptation to the circumstances of the people, the simplicity, brevity, and precision of its language, its judicious mixture of definiteness in principle with elasticity in details."¹

¹ *Op. cit.*, vol. i, pp. 27, 28. For the text of the Constitution see Appendix II.

CHAPTER IV

THE PERIOD OF FEDERALIST SUPREMACY: 1789-1801

THE date fixed for the inauguration of the new Government was March 4, 1789, but there was some delay in getting the machinery into motion, and it was not till the first week in April that Congress was organized in New York. On the 6th the votes of the electoral college were counted, and it was found that Washington had been unanimously elected President. This was what everybody had expected, for throughout the country he was trusted as the one man "who could command the respect of both of the parties which had violently disputed about the adoption of the Constitution."¹ The Vice-President was John Adams.

It was on the morning of April 30 that the first President of the United States entered formally upon the duties of his office. At nine o'clock religious services were held in all the New York churches. At midday Washington left his house in what is now Franklin Square, and passed through densely thronged narrow thoroughfares to Federal Hall, at the corner of Wall and Nassau Streets: his tall, upright figure "clad in a full suit of dark brown cloth . . . with a steel-hilted dress sword, white stockings and silver shoe buckles," and his hair "dressed and powdered in the fashion of the day."² The oath was administered on the balcony of the hall by Robert Livingston, Chancellor of the state of New York, who, when the brief ceremony was finished, stepped to the front and cried to the crowds below, "Long live George Washington, President of the United States!" "At this moment a flag

¹ J. S. Bassett, *The Federalist System*, p. 6.

² Washington Irving, *Life of Washington*, chap. clxv.

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was displayed on the cupola of the hall, on which signal there was a general discharge of artillery on the battery. All the bells in the city rang out a joyful peal, and the multitude rent the air with acclamations.”¹

Washington had quitted his beloved home at Mount Vernon and the quietude of private life with great reluctance and “with a mind oppressed with more anxious and painful sensations” than he had “words to express”; and his deep sense of his responsibilities and of the solemnity of the occasion was apparent in his inaugural address. He dwelt upon the evils of faction and the need of harmony; implored the blessing of heaven upon the new nation; and reminded his countrymen of the fact that the eyes of the whole world were watching their great experiment in liberty. It is perhaps worth while to remember that only six days later—on May 5—another experiment in liberty was initiated across the Atlantic. On that day the States-General met in the Salle des Menus Plaisirs at Versailles to enact the first scene of the French revolutionary drama.

WASHINGTON'S FIRST ADMINISTRATION

One of Washington's first duties as President was the appointment of the heads of the four executive departments created by Congress. He chose Jefferson as Secretary of State (with charge of both home and foreign affairs); Henry Knox of Massachusetts, who had held a similar position under the Confederation, as Secretary for War; Hamilton, who had already made his reputation as a financier, as Secretary of the Treasury; and Edward Randolph as Attorney-General. Jay, who had been acting as head of the department of foreign affairs under the old Congress, now became the first Chief Justice of the Supreme Court.

The Constitution, it should be noted, contains no reference to a regular Cabinet; but it is specified in it that the President “may require the opinion, in writing, of the principal officer in each of the executive departments, upon any subject relating to the duties of their respective offices”

¹ Washington Irving, *op. cit.*, chap. clxv.

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(Article II, Section 2). The three secretaries named and the Attorney-General thus formed the President's advisory body, and it was Washington's practice to consult them individually regarding all details of administration. As in his own view the Presidential office should be entirely non-partisan, he chose as his advisers the best men available for the purpose, without reference to their political opinions. Hence his Cabinet was entirely lacking in homogeneity; indeed, its two most important and influential members, Jefferson and Hamilton, were diametrically opposed upon every question of principle and policy. Theoretically there was much to be said in favour of such a coalition. But Washington soon found it a hard matter to keep the peace within his household, and in the end he had to abandon the attempt as hopeless.

The most important work of Washington's first administration was the complete reorganization of the finances, which had lapsed into such a state of confusion that both at home and abroad the national credit was almost gone. This task devolved upon Hamilton, whose comprehensive scheme included a system of tariff duties on imported goods "for the encouragement and protection" of American industries; an excise tax on spirits distilled in the United States; the payment in full, principal and interest, of the national debt and the assumption by the general Government of the debts contracted by the separate states during the war; and the establishment of a National Bank on the model of the Bank of England. Many portions of this scheme met with strenuous opposition, and it was only with great difficulty that Hamilton succeeded in carrying it through Congress in its entirety. For the most part the discussions turned upon matters of conflicting interest only; but here and there questions of fundamental principle were involved. This was particularly the case in the controversy over the National Bank, the creation of which was vigorously denounced on the ground that such a corporation was not authorized by the Constitution. Before signing the Bill as it was finally passed by Congress Washington exercised his right of requiring the written opinions of his advisers, and the arguments for and



PLAN OF THE CITY OF WASHINGTON

THE FEDERALIST SUPREMACY

against as presented to him respectively by Hamilton (whose views he accepted) and Jefferson have great interest as indicating the rise of two divergent schools of thought regarding the interpretation of the Constitution. To this subject we shall have to return directly. For the moment it will suffice to emphasize the fact that certain well-defined political theories underlay and inspired the whole of Hamilton's financial policy ; for his scheme for the assumption by the general Government of the State debts and for the National Bank, and indeed all his measures, were designed to knit the country into a closer unity and to strengthen the Federal authority at the expense of the individual states. This was the principal reason of the hostility of Jefferson and his followers, as we shall be able to understand more fully when we come to consider the general doctrines of these two representative statesmen.

To Washington's first administration also belongs the satisfactory settlement of a question which for a time threatened to fan into fresh flame the old fires of sectional jealousy. This was the question of the location of the Federal Government. The inauguration of the new *régime* in the city of New York and the removal of Congress to Philadelphia the following year had been matters of temporary convenience only. Among the powers vested in Congress by the Constitution was that of exercising "exclusive legislation" over "such district (not exceeding ten miles square)" as might be selected as "the seat of the government of the United States." This provision shows that the necessity of establishing such a permanent seat on independent territory had already been realized. But it was not easy to find a spot which would be entirely acceptable to all the states ; both the Northern and the Southern groups pressed their claims ; and a spirited contest broke out in consequence. To some extent, undoubtedly, this quarrel was fomented by ancient rivalries. But it had its origin in local interests which lay deeper than mere sentiment, for in those days of difficult travel, when journeys which now mean nothing were long and arduous, the problem of the position of the capital

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—the centre of the nation's life—was justly felt to have very practical bearings. In the end an arrangement was reached in a roundabout way in connexion with Hamilton's financial schemes. It was at the time of the hot debate over his proposal that the national Government should assume the State debts. This proposal was resisted by the South, while in general the North was in favour of it. Hamilton, who cared nothing about the dispute over the location of the Government, saw, however, that it could be turned to his own advantage, and with the help of Jefferson, whose services he skilfully enlisted for the purpose, he contrived a compromise by which he obtained sufficient votes from the Southerners to carry assumption in exchange for a sufficient number of votes from the North to enable the Southerners to have their way in regard to the site of the capital. Accordingly the spot selected for the District of Columbia, as the national territory was called, was on the north-eastern shore of the Potomac River, about 100 miles from its mouth, and there, in what was then an unbroken wilderness, plans were laid for the future capital, which Washington wished to be known simply as the Federal City, but which the commissioners insisted should bear his own name. These plans were entrusted to Major Pierre Charles L'Enfant, a French engineer, who had served in the Continental Army; and they were conceived by him on so vast a scale, and provided for such wide streets and such enormous spaces between the various public buildings, that at the outset they aroused both astonishment and derision. To-day the visitor to Washington knows well how completely his ambitious designs have been justified. But in those early years, when the new capital was only beginning to emerge out of its embryonic condition, the painful contrast between promise and performance caused it to be ridiculed in epigram as "the city of streets without houses," "the capital of miserable huts" and "the city of magnificent distances." It was not till 1800 that the Government was transferred thither from Philadelphia, and even then it was a city only in name. Neither the Capitol nor the Presidential mansion (the White House) was yet finished;

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the first of the great central arteries—Pennsylvania Avenue—was nothing but “a vista cleared through the forest and undergrowth”;¹ while so crude were all the existing conditions that the members of the Government, from the President downward, had for the time being to endure all the discomforts and hardships of pioneer life.

THE FORMATION OF POLITICAL PARTIES

Washington's first administration was eminently successful. Under his wise and temperate rule the new Government was completely organized, and the wheels of all the departments had begun to run without friction. National credit and national confidence were alike restored. The union of the thirteen original states was now consolidated, and two new states—Vermont and Kentucky—had been admitted to the Federal family.²

While, however, with the general settlement of affairs and the acceptance of the Constitution throughout the country, the division between Federalists and Anti-Federalists ceased to exist, the new problems which arose as the work of the Government proceeded brought out fresh divergencies in political views, which led to the gradual formation of two distinct parties—the Federalists and the Republicans. To a certain extent this new segregation was upon the old dividing lines. The Federalists not only nominally but actually adhered to the principles of the Federalists of a few years before, since they stood for a strong centralized government and the conception of the corporate nation as an all-embracing

¹ Bassett, *op. cit.*, p. 161.

² The territory of Vermont had been in colonial days the subject of a long dispute between New Hampshire and New York. In the end the claims of the latter had been supported by the British Government. But the settlers—the ‘Green Mountain Boys,’ as they called themselves—then organized themselves for resistance: one of their leaders being that Ethan Allen who a little later, as we have seen, captured Ticonderoga. The contest was interrupted by the Revolutionary war, during which the Vermonters proclaimed their independence, adopted a constitution, and demanded admission into the Confederation. New York, however, persisted in its claims till 1791, when Vermont, on ratifying the Constitution, became the fourteenth state in the Union. Kentucky, as already recorded, was admitted the following year.

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unity. The Republicans, if not quite so obviously, still carried on the traditions of the Anti-Federalists in the sense that they were chiefly concerned with the liberties of the individual and the rights of the separate states. But other secondary differences also came to the surface to sharpen their contrast and embitter their quarrels; for the Federalists were markedly aristocratic and exclusive in their leanings, while the Republicans were democratic and popular. This conflict of opinions in all its phases can best be understood by turning to the views of the acknowledged leaders of the two groups—John Adams and Hamilton on the one side and Jefferson on the other. Adams believed that there was “a governing class” which ought to be kept “at the top of society,”¹ and that for the safety of the nation the responsibilities of government should remain in the hands of a few—“the rich, the well-born and the able.”² Hamilton’s bias was equally oligarchic; the idea of liberty was always subordinate in his mind to that of administrative strength and social order; and indeed it was in part because of his resulting admiration of the British Constitution that many of the Republicans were convinced that his own ultimate object, and the ultimate object of those who sympathized with him, was the reintroduction of monarchical government.³ Jefferson, on the other hand, held the most radical views regarding popular government; he was passionately enamoured of individual liberty and the ‘rights of man’; dreaded too much control; resented the domination of the many by the few; and had the fullest confidence in the people as “the most honest and safe, although not the most wise, depository of public interest.” It was about these antithetical views of

¹ J. T. Morse, *John Adams*, p. 251. It is, however, proper to point out that, as Mr Morse says, Adams did not believe that the right to belong to this governing class “was heritable, like houses and lands.” He was therefore not an advocate of an hereditary aristocracy on the English plan.

² *Defence of the American Constitution*, 1787.

³ Though Hamilton had done as much as any man in the country to secure the ratification of the Constitution, he had worked for it simply because he thought that in the circumstances it was the best system attainable. In his judgment, none the less, it was unsatisfactory because it did not go far enough in the direction of centralization.

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the foundations and scope of government as a nucleus that the Federal and Republican parties respectively took shape.

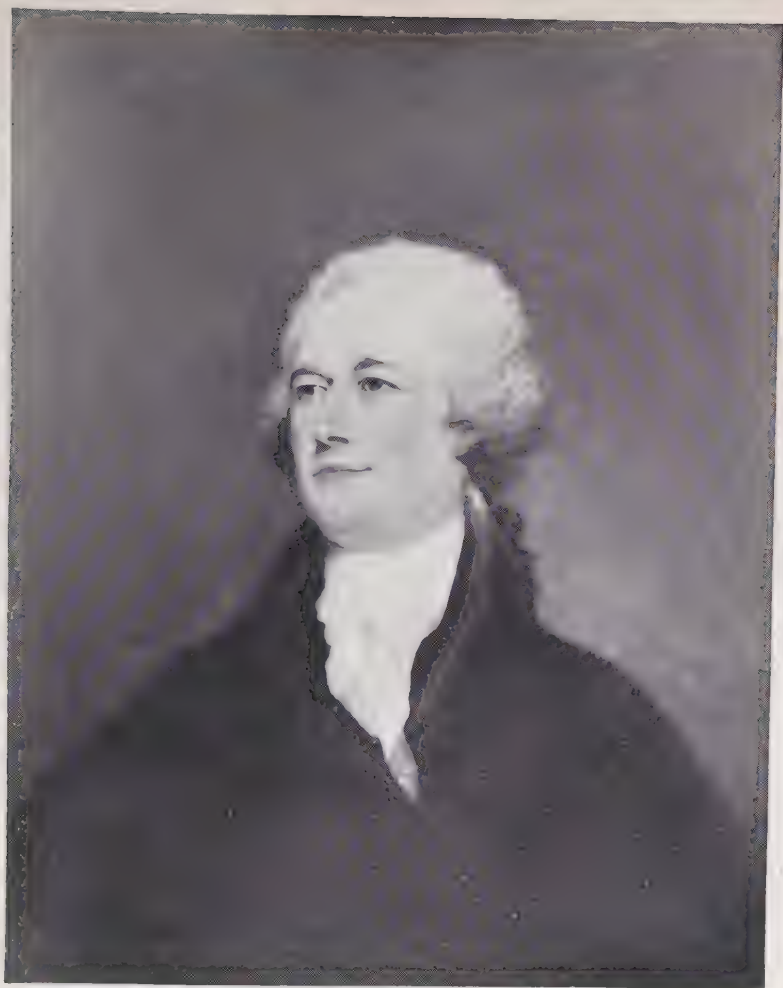
Among the many subjects on which they were therefore necessarily divided none was more important than that of the interpretation of the Constitution. The issue at this point is made very clear by the controversy over the creation of the National Bank, already referred to. This, as we have said, was opposed by Jefferson on the ground that it was unconstitutional; that is, no power to establish such a bank was anywhere included among the "enumerated powers" vested in Congress by the Constitution; and for this reason authority for it could be obtained only by an unwarrantable "latitude of construction" which, if allowed in this particular instance, would be certain to open the way to endless abuses. Hamilton met this objection with the contention that though power to create the bank was not specifically granted it was manifestly implied; "the power of government, as to the objects entrusted to its management, is," he argued, "in its nature sovereign," and "the right of erecting corporations" one "inherent in, and inseparable from, the idea of sovereign power"; while, moreover, since Congress admittedly possessed under the Constitution the full right to manage the financial affairs of the country, it also, by logical inference, possessed the right to set up any machinery that might be deemed necessary for the proper carrying out of this part of its functions. In this early collision of opinion, then, the difference between the two parties was at once sharply defined. It was at bottom a difference over the far-reaching question whether a rigid or a liberal construction should be placed on the general statements of the Constitution. The Republicans held that the Constitution should be taken literally, that nothing should be done not formally and specifically authorized by it, and that Congress was limited to the powers which it actually prescribed. The Federalists replied with the doctrine of "implied powers"; obviously, they maintained, the enumeration of powers in Article I, Section 8, could not be regarded as exhaustive, for no national Government could

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conceivably do its work if it were bound down to and confined within the eighteen clauses of that section. Hence the two parties came to be known respectively as the 'strict constructionists' and the 'liberal constructionists.' The position taken up by the Republicans in this matter may seem a little curious in view of their derivation from the old Anti-Federal party. But the apparent anomaly can be easily explained. "By a process which was very natural, however odd at first sight, they, who had first absolutely opposed the Constitution through their fear of a strong and tyrannical government, had now become, through the same fear, the most pronounced champions of the exact and literal language of the Constitution, and opponents of all attempts to extend its meaning by ingenious interpretations of its terms."¹

The personal feelings of antagonism between the chiefs of these two contrasted systems of national policy ran very high. At first, indeed, Hamilton and Jefferson met on a fairly friendly footing, but as the breach between them widened they came to regard each other with the bitterest hostility, and even Washington's moderating influence failed to check their open quarrels. Meanwhile their party differences were taken up by the Press, which was now beginning to emerge as a political force. Two papers of the time in particular exercised considerable influence over the public mind: *The Gazette of the United States*, which was the recognized organ of the Federalists; and *The National Gazette*, which, under the editorship of Philip Freneau, a New Yorker of French parentage, kept up a persistent and venomous attack upon Hamilton and his followers, and even upon the President, who was understood to be in general sympathy with their views.

¹ Johnston, *op. cit.*, vol. i, p. 207. The name 'Republican' was chosen by its members as a good party title to mark their loyal adherence to the Constitution as against those who, as they believed, were more or less tainted by the "monarchical heresy." Their sympathy with the French Revolution also had something to do with its selection. One wing of the party presently came to be known as the Democratic-Republican, and out of this evolved the Democratic party of later times.



ALEXANDER HAMILTON

From the portrait by John Trumbull

Reproduced by courtesy of the Metropolitan Museum of Art, New York

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WASHINGTON'S SECOND ADMINISTRATION

At the expiration of his first term of office in 1792 Washington was persuaded, much against his will, to accept renomination, and he was again elected unanimously, with John Adams once more as Vice-President. For Washington himself it would have been well if he had acted resolutely on his wish to retire, for in his second administration he encountered many and grave difficulties, and though in grappling with these he showed all his characteristic wisdom and firmness, it cannot be denied that he lost the confidence of large sections of the American people.

That he did so was due in large measure to his own change in official policy—a change which, though in the circumstances perhaps inevitable, may still be regarded as a matter for regret. In the ever-increasing violence of political controversy he reluctantly abandoned his non-partisan attitude. His own theories of national government had, indeed, given him from the outset a distinct bias toward Federalism, but thus far he had done his utmost to keep aloof from the actual strife of parties. With the Federalists he now openly allied himself. Then, after much discord, both Jefferson and Hamilton resigned their offices, and with the subsequent withdrawal of Knox, who had sided with Hamilton, and of Randolph, who had sided with Jefferson, the old Cabinet disappeared to make way for a new one composed entirely of members of the Federalist party.

The principal difficulties of the Government arose in connexion with foreign affairs. At the outset the French Revolution had naturally been welcomed by the whole American people. But as the liberation movement degenerated into violence and anarchy it furnished a fresh cause of dissension to the two opposed groups, then in the early stages of segregation; for while Jefferson and his friends continued to sympathize with the Revolution, Hamilton and the Federalists saw in the evils which attended it a justification of their distrust of extreme democracy. The war between France and England, news of which reached America soon after

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Washington had entered upon his second term, still further intensified their differences: the Hamiltonians siding with England, the Jeffersonians with France. Owing to the hatred of England then prevalent in America Jefferson had for the present the general feeling of the country behind him. This feeling the Government was strong enough to disregard; but the question of its policy was complicated by the fact that by the terms of the treaty of alliance with France of 1778 the United States was under obligation to defend the French West Indies against British attacks. But was this treaty still in force? Hamilton argued that it had been abrogated by the overthrow of the French Government with which it had been made; Jefferson maintained its validity on the ground that change of Government had nothing to do with the matter, since the Government is only the instrument of the sovereign people. Just at this critical juncture, as it happened, Edmond Charles Genêt, the newly appointed French minister to the United States, arrived at Charleston, and at once began to commission privateers and to enlist American soldiers for the French army. Everywhere in his journey northward he was received with boundless enthusiasm; but when he reached Philadelphia and, by way of afterthought, presented his credentials to the President, Washington plainly told him that his actions were contrary to international law and could not be tolerated. Notwithstanding this warning he persisted in his headlong course until at length, after stirring up an immense amount of trouble, he was on Washington's emphatic demand recalled by his Government. His indiscretions and insolence had, however, alienated Jefferson and done much to silence the popular clamour for the intervention of the United States in support of its old ally. In the meantime—on April 22—Washington had issued his famous declaration of neutrality, in which, tacitly ignoring all questions of treaty obligations, he proclaimed that the United States would take no part in the war between France and England, but would “pursue a conduct friendly and impartial towards the belligerent powers.” This declaration is of great historical importance; for it formulated the policy to which the United

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States was to adhere till quite recent years in respect of European quarrels and entanglements. But though generally approved by moderate men as a wise and necessary measure, some of the hot-headed Republicans took offence at it and abused Washington as an enemy of democratic government. While, however, the United States thus refused to be embroiled in the conflict between France and England, it came to the verge of war with the latter on its own account. Ever since 1783 the relations of the two countries had been strained by the non-fulfilment on both sides of certain of the provisions of their treaty of peace ; on the one hand, the debts of British creditors were still unpaid and the loyalists remained without compensation for their losses ; on the other, the British, alleging the failure of the Americans on these points as a reason, had refused to evacuate the important Western posts which they had undertaken to surrender. Controversy on these matters was still going on when the Anglo-French war developed fresh causes of international friction. The English, like the French, seized American ships and carried off their cargoes as contraband ; and worse than this, they impressed into the British service any British-born seamen found on such ships, even if they had become naturalized Americans. These outrages so embittered popular feeling that a rupture with Great Britain seemed inevitable. Then Washington sent Jay to England as envoy extraordinary, and the result of his efforts was a treaty, signed in November 1794, which provided among other things for the withdrawal of the British from their Western posts by June 1796, and for the establishment of joint commissions for the settlement of various other questions in dispute. But nothing was said in it about neutral trade or the impressment of seamen, while its commercial clauses were distinctly unfavourable to American interests. In consequence the treaty aroused a storm of fury throughout the United States : Jay, its author, was burned in effigy ; Hamilton, who defended it, was assaulted at a public meeting ; it was ratified by the Senate only after a fierce debate of sixteen days ; and Washington, though himself disappointed with it, came in for a full share of unpopularity.

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In the midst of all this excitement over foreign affairs there was serious trouble from a domestic source. Hamilton's financial policy, though still vigorously denounced by the Republicans, had proved on the whole successful. But one of his measures was very widely resented. This was the excise tax, which was opposed theoretically because it asserted the right of the Federal Government to levy internal taxes within the states, and practically in the regions specially affected by it as an unwarrantable interference with trade. The discontent, long brewing, came to a head in South-western Pennsylvania in the Whisky Insurrection of 1794. Jefferson, who regarded the excise law as "an infernal one,"¹ took a very lenient view of the disturbance and laid the blame for it upon the authorities. But the swiftness and thoroughness with which it was suppressed by the militia of Pennsylvania and the adjacent states, called out by Washington, delighted the Federalists, because such an effective way of dealing with armed resistance to national law demonstrated the strength and determination of the central Government.

Though the remainder of Washington's Presidency was relatively tranquil, the hostility of the rank and file of the Republicans continued to pursue him, and to the last he was attacked with coarse and brutal ferocity in their press. But when the end of his term of office drew near, and it was known that he had absolutely refused to consider renomination, all the best sentiment of the country, without respect of party, rallied to his side. In his noble farewell address, issued in September 1796, he reiterated the ideals by which his own political conduct had always been inspired, and earnestly besought his countrymen not only to support the Government which they had themselves established and to maintain the nation's honour and credit, but also "to steer clear of permanent alliances with any portions of the foreign world." This advice he left as his legacy to the American people. Six months later he was able, to his infinite relief, to throw off the burdens and responsibilities of office and to become once more the country gentleman.

¹ Letter to Madison, quoted in Morse, *Jefferson*, p. 169.

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THE ADMINISTRATION OF JOHN ADAMS

The contest over the succession to the Presidency was conducted on strictly party lines. On the Republican side there was no question as to the selection of a candidate; Jefferson was so obviously the first man in the party that he was adopted as a matter of course. But the Federalists were in some difficulty, for Hamilton, their real leader, was unpopular, while Jay, whom Hamilton himself would otherwise have put forward, was still suffering from the odium which attached to him in connexion with the obnoxious treaty with England. In these circumstances John Adams appeared to be the safest man, and on him the choice accordingly fell. The event proved that though the Federalists were losing ground, the Republicans were not yet strong enough to secure a victory. Adams was elected by seventy-one votes against sixty-eight polled by Jefferson, who thus became Vice-President.¹

Adams, who was a thoroughly upright and honest man, though egotistic, impulsive, and tactless, soon found that he had stepped into a heritage of trouble. The Jay treaty had given great offence in France, and James Monroe, the American minister to that country since 1794, instead of attempting to allay the irritation, had been so fervent in his expressions of sympathy with France, and in general behaved so undiplomatically, that in August 1796 Washington had recalled him, and had appointed Charles Cotesworth Pinckney in his place. But the Directory, as Adams learned before he had been a month in office, refused to receive Pinckney or any other American minister until French grievances had been redressed. This insult caused great indignation in America, and some of the extreme Federalists demanded that relations with France should at once be severed. But Adams, who knew that the country was totally unprepared for war, determined to make

¹ This, as in the two previous Presidential elections, was in accordance with Article II, Section I, of the Constitution: "after the choice of the President, the person having the greatest number of votes of the electors shall be the Vice President." By the Twelfth Amendment, adopted in 1804, the procedure was altered.

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another effort to come to an understanding with France, and to that end appointed a commission, consisting of Pinckney himself, John Marshall, and Elbridge Gerry, to discuss the situation with the French Government. The commissioners on reaching Paris in October 1797 failed to obtain an official interview, but they were unofficially received, on behalf of Talleyrand, by three persons, whose identities were concealed afterward in the dispatches under the initials X, Y, and Z, who told them in so many words that a gift to the Directory of \$240,000 would be required as a preliminary to negotiations. This amazing proposal was, of course, promptly rejected ; nor were the commissioners moved by the threats which followed. When news of the disgraceful affair reached America in April 1798 all hope of averting hostilities seemed to be destroyed ; but though preparations were immediately begun for the approaching conflict—preparations which included the organization of a new army with Washington in nominal command—Adams was resolved to leave the responsibility of declaring war to France. Then came a sudden change of front on the part of the French. The publication of the XYZ correspondence appears to have convinced the shamelessly corrupt and mendacious Talleyrand that he had gone too far ; and he now hastened to intimate that his Government would accept with pleasure any envoy from the American nation. A second commission was thereupon sent to France, and in September 1800 a treaty was signed which, though not altogether favourable to the United States, saved the country from what would probably have been a disastrous war, and did this without any sacrifice of its honour.

The impending danger of war, meanwhile, greatly strengthened the Federalists, who, arrogantly confident, and determined to take the utmost advantage of their position, proceeded to abuse their power in ways which ultimately proved their ruin. The violence of party feeling, which had now reached an unexampled height, discharged itself on the Republican side in the most vicious and scurrilous attacks upon the President and the other chief officers of the Government. Many of the ' democratic scribblers ' who thus poured out

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their venom through the newspaper press were foreigners—English or French—and it was an easy matter for the Federalists to believe, or to profess to believe, that they were in fact enemies of their adopted country. Hence the Government saw that it had a capital opportunity of striking a blow, not only at the offending aliens, but also through them at its Republican opponents. Accordingly, in 1798, a series of measures, really designed to crush the critics, were hurriedly passed through Congress: a Naturalization Act, which raised the period during which a foreigner must be resident in the United States before he was eligible for citizenship from five to fourteen years; an Alien Act, which empowered the President to order from the country any foreigner who might be considered “dangerous” to its “peace and safety”; an Alien Enemies Act, which provided for the imprisonment, in time of war, of any male of fourteen years or over who was the subject of a hostile Government; and, most sweeping of all, a Sedition Act, by which it was proposed to punish persons who should “conspire” to oppose any Government action and to suppress the publication of any “libels” upon the President or his officials. These ill-considered and hasty measures, and especially the last, which introduced the new principle of the national regulation of the Press and was flagrantly vindictive in character, met with stubborn resistance from the Republicans, and caused a marked revulsion of feeling against the Federalists among moderate men all over the country. Realizing that their party was for the present impotent in Congress, Jefferson and Madison resorted to the old expedient of appealing to the people through the state legislatures; and in November and December 1798 two series of resolutions were adopted, the one by the Virginia, the other by the Kentucky legislature, in which the Acts in question were denounced. Though differing in tone—for the Virginia resolutions, prepared by Madison, were more temperate than those drafted by Jefferson for Kentucky—they agreed in principle; for in both cases the condemnation as formulated rested upon the theory that Congress in passing the Acts had transcended its authority by usurping “un-

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delegated powers," and that such Acts were therefore unconstitutional. Both sets of resolutions were then transmitted to the other state legislatures, but they were nowhere favourably received, and the accompanying proposal that all the states should join in a common protest to Congress fell through. But none the less they helped to foment public opinion against the Government, which, it was felt, had indeed exceeded its proper powers and was moving rapidly in the direction of absolute centralization and unqualified despotism.

As the time of Adams' administration ran out, moreover, the Federalist party, never very closely united, was rent by an open feud between Adams himself and Hamilton; and this division naturally improved the prospects of the Republicans in the approaching Presidential campaign. But for Hamilton's intriguing, Adams, who was still personally popular in the country, would probably have been re-elected. As it was, he obtained sixty-five votes, while the Republican candidates, Jefferson and Aaron Burr, tied with seventy-three. The choice as between these two therefore devolved upon the House of Representatives.¹ Its vote was given to Jefferson, and Burr became Vice-President.

Unquestionably it was their own excesses and dissensions which were mainly responsible for the collapse which brought the supremacy of the Federalists to a close. But indirectly the death of Washington contributed to it; for so strong was his hold upon the affections of the country that even in his retirement he had helped to keep a large amount of public opinion in favour of the party which he was known to support. In the midst of the excitement over the Kentucky and Virginia resolutions that great soldier and statesman passed peacefully away at Mount Vernon on December 14, 1799.

¹ Constitution, Article II, Section 1.

CHAPTER V

JEFFERSONIAN DEMOCRACY: THE WAR OF 1812

THE election of 1800 has often been referred to as the revolution of 1800. The Republican party under the able leadership of Thomas Jefferson came into power, and brought with it political theories and ideas diametrically opposed to those held by the Federalists. Jefferson, the idealist, was one of the most striking men who have ever held the position of President. He was fifty-eight years of age at the time of his inauguration, six feet two and a half inches in height, with a red freckled face and a loose shackling air. He was shy and stiff, and sat on the edge of his chair with one shoulder elevated high above the other. He was a brilliant conversationalist, and deeply interested in original scientific investigations.¹

The inauguration of Jefferson, the first at Washington, was a very simple affair, in keeping with the principles of his party.² President Jefferson's inaugural address, which stands out as one of the most pregnant and forceful of his voluminous writings, was read in the presence of his friends and fellow-citizens, who were present at the 'installment.' Jefferson stated the idea mentioned at the beginning of this chapter, namely, that the triumph of the Republican party was just as much a

¹ Channing, *The Jeffersonian System*.

² Henry Adams, in his *History of the United States*, quotes the following letter from Edward Thornton, then in charge of the British Legation at Washington, to Lord Grenville: "He came from his own lodgings . . . on foot, in his ordinary dress, escorted by a body of militia artillery from the neighboring State. . . . He was received by Mr Burr, the Vice-President of the United States . . . and was afterward complimented at his own lodgings by the very few foreign agents who reside at this place, by the members of Congress, and other public officials."

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revolution as that of 1776. Inasmuch as it was now a *fait accompli*, he desired to have a harmonious country behind the new Government. This is the reason for his statement, "We are all Republicans! We are all Federalists!" He then defined a good Government as one that, while it shall "restrain men from injuring one another, shall leave them otherwise free to regulate their own pursuits of industry and improvement, and shall not take from the mouth of labor the bread it has earned."¹

Jefferson was soon compelled to realize that there was after all a difference between Republicans and Federalists. This was brought to his attention by the ever increasing clamour on the part of his supporters for offices now filled by Federalists. The manner in which Jefferson firmly withstood all demands for patronage greatly redounds to his reputation and strength of character. He conceived and followed out the plan of removing from office only those who were guilty of misconduct and partisanship. He filled their positions with Republicans, and adopted the principle that members of his own party were to be appointed to all vacancies until there were as many Republicans in office as Federalists.

Jefferson's selection of men to fill the various Cabinet positions was, without exception, very wise and far-sighted. Madison became Secretary of State, Gallatin Secretary of the Treasury, Lincoln Attorney-General, General Dearborn Secretary of War, and Robert Smith Secretary of the Navy. The two latter officials were not of the calibre of the others,

¹ The following principles of good government were also enunciated: "Equal and exact justice to all men, of whatever state or persuasion, religious or political; peace, commerce, and friendship with all nations, entangling alliances with none; the support of the State governments in all their rights . . . ; the preservation of the general government in its whole Constitutional vigor . . . ; a jealous care of the right of election by the People . . . ; absolute acquiescence in the decisions of the majority . . . ; a well-disciplined militia . . . ; the supremacy of the civil over the military authority; economy in the public expense . . . ; the honest payment of our debts, and sacred preservation of the public faith; encouragement of agriculture, and of commerce as its handmaid; the diffusion of public information . . . ; freedom of religion, and freedom of the press, and freedom of person under the protection of the *habeas corpus*; and trial by juries impartially selected."

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but Jefferson overlooked this fact because he did not expect to have much use for an army or navy. Albert Gallatin, a Swiss, and ranked in the same class with Hamilton as a financier, was the big man of the Cabinet. He insisted strongly on what he considered the three cardinal financial principles of the administration. These were, first, the payment of \$7,000,000 each year on the principal and interest of the national debt; second, every possible reduction of taxation which could be made; and third, Congress making specific appropriations, and the simplification of the organization and workings of the Treasury.¹ The tariff was retained, and the United States Bank was not disturbed. All internal taxation was repealed as a result of rigid economies in the army and navy. The latter was reduced to a state of impotence from which it soon had to emerge to cope with a foe which was preying upon American commerce, by the maintenance of which Jefferson hoped to keep the United States at peace with the rest of the world.

THE TRIPOLITAN WARS

One scheme put forward by Jefferson and Gallatin to cut expenditure was to lay up the larger men-of-war in the Potomac and just keep in commission sufficient vessels of a small type for coast defence and revenue work. This plan was partly carried out when the United States got into difficulties with the Barbary pirates. These pests of the Mediterranean had been accustomed for years to levy tribute upon the nations of Europe, who were forced to pay if they wished their merchantmen to be exempt from capture. The separation of the American colonies from the mother country took away from them the protection of the British tribute and left them prey for the pirates. The United States had been compelled to buy immunity with money and arms. Her merchantmen sailed in comparative safety until May 14, 1801, when Yusuf, the Pacha of Tripoli, declared war because he thought he was not getting as much as he should. In 1801 and 1802 squadrons were sent to the Mediterranean, but were not able

¹ Channing, *The Jeffersonian System*.

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to accomplish much because of the lack of land operations. In 1803 Captain Preble was sent out in command of a squadron. He bombarded the city of Tripoli, but could not bring the Pacha to terms. In the spring of 1804 Hamet, the dethroned brother of the Pacha, with the aid of William Eaton, an erratic American, set out from Egypt at the head of 500 men to capture Tripoli by land. This little band overran the eastern half of Tripoli by 1805, and the Pacha was glad to sue for peace. He was permitted to retain his throne, but was compelled to release all American captives and permit American vessels to sail unhindered.

The defeat of Tripoli had far-reaching effects. It showed the other Barbary states that American merchantmen were not to be interfered with and that tribute for their safety was not forthcoming. Enthusiasm was created in America by the heroic deeds of the *Intrepid* and the *Philadelphia*. The former, a ketch under the command of Lieutenant Somers, was laden with explosives and sailed into the harbour of Tripoli to destroy the enemy fleet. The ketch blew up prematurely, and while the explosion did some damage to the enemy it also resulted in the death of the commander and his crew. The *Philadelphia* ran aground at the entrance to the same harbour and fell into the hands of the pirates, who towed it into the harbour. Stephen Decatur entered in a ketch, boarded the *Philadelphia*, set her on fire, and then made his escape. He was promoted for this deed, and returned to the Mediterranean after the War of 1812 and compelled the Barbary states again to sign treaties favourable to the United States.¹

THE PURCHASE OF LOUISIANA

Louisiana, that vast and unbounded region of the Mississippi valley, had long been a subject of discussion and apprehension in the American colonies and later in the United States. Taken by La Salle in 1682 for Louis XIV, after whom it was named, it remained in the possession of France until 1763. In that year the eastern basin of the river, together with

¹ The wars with Tripoli are admirably treated by Garner W. Allen in *Our Navy and the Barbary Corsairs*.

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Florida, was given to Great Britain as a result of the Seven Years War. The western basin and the island of Orleans (on which the city of New Orleans was established) were given to Spain as a balm for the losses she suffered at the hands of the English during the same war. In the treaty which ended the American Revolution Great Britain ceded the eastern basin to the newly formed United States of America, and also ceded the Floridas to Spain.

The territory held by Spain hemmed in the United States on the west and the south, and as a result was looked upon covetously by many Americans. Those hardy pioneers who had pushed their way across the Alleghanies into the wilds of Kentucky and Tennessee were particularly interested in the control of the river and its mouth. The reason for this is very evident. The river was the only means of marketing their crops and getting supplies, and if the foreign country that controlled it denied them the right of deposit at New Orleans or the unrestricted use of the river, their only source of income would be materially reduced. In the hands of Spain, a comparatively weak nation, little trouble was feared. The American ambassador at Madrid negotiated a treaty with Spain in 1795 whereby the right of deposit was guaranteed to American citizens at New Orleans. This quieted the Westerners for a time, although they tenaciously clung to the idea that the United States should seize the territory before it was annexed by some Power stronger than Spain.

The fears of the Westerners were justified. Europe at this time was dominated by the avarice and overreaching ambition of Napoleon Bonaparte. He conceived the idea of enhancing his power and glory, and ultimately bringing England to her knees, by building up a huge colonial empire. The nucleus around which he was going to build was Santo Domingo, where he already had a foothold. He then determined to establish himself in Louisiana. The fact that this region belonged to Spain apparently retarded his scheme not a whit. His agents negotiated the secret treaty of San Ildefonso on October 1, 1800, by the terms of which Spain was to cede Louisiana to him and he was to establish the son-in-law

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of Charles IV on the newly erected throne of Etruria. Napoleon promised that he would never relinquish the acquired territory to any Power but Spain.

The secret of the treaty was fairly well kept. Rumours of it did not reach the United States until late in the spring of 1801. The consternation and alarm caused by it were widespread. The feeling was intensified when, in 1802, the Spanish authorities announced that the right of deposit at New Orleans had been withdrawn. The West asked that Jefferson should immediately seize the mouth of the river. The ever-pacific philosopher Jefferson refused to accede to this demand, and was rewarded a short time later for his restraint by the announcement that the right of deposit had been restored. In this way war was narrowly averted. Jefferson, however, instructed the American ambassador at Paris, Robert Livingston, to warn Napoleon that the nation that held the mouth of the Mississippi was the enemy of the United States, and that if he attempted to colonize Louisiana "we must marry ourselves to the British fleet and nation." "By uniting with Great Britain we must make the first cannon which shall be fired in Europe the signal for the tearing up of any settlement she [France] may have made."

As mentioned above, the first step in Napoleon's gigantic scheme was the subjugation of Santo Domingo. The island was torn by a terrific struggle between the blacks and whites. The former were led by Toussaint Louverture, referred to by Napoleon as the 'gilded African' and by others as the 'black Napoleon.' Leclerc, one of Napoleon's best generals, with a force of 10,000 men was dispatched to Santo Domingo to crush Louverture. After this was accomplished Napoleon ordered the restoration of slavery. This was the signal for the rising *en masse* of 500,000 black labourers. Their guerrilla fighting, combined with a severe epidemic of yellow fever, caused the loss of 24,000 soldiers and sailors. Leclerc demanded 17,000 more men and 60,000 francs in specie, as well as the putting into operation of a ferocious, inhuman scheme to conquer the blacks. Napoleon faltered in the face of these demands and decided to abandon the island.

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Without Santo Domingo Louisiana was of no use to Napoleon, and he determined to sell it to the United States if that country would buy it. The provision of the Treaty of San Ildefonso concerning the disposal of Louisiana apparently did not bother Napoleon. After a great deal of discussion between Livingston and Talleyrand, Napoleon's Foreign Minister, Louisiana was sold to the United States for 60,000,000 francs and the assumption of American claims against France to the extent of 20,000,000 additional francs. The date of the treaty was April 30, 1803, although it was not signed until May 2.

When Jefferson heard of the transaction he was greatly gratified, but was disturbed also, because he thought he had exceeded his constitutional powers, inasmuch as it was not stated specifically in the Constitution that the American Government could buy foreign territory. His plan to secure the adoption of a constitutional amendment giving him the power was hurriedly cast aside upon the receipt of the news that Napoleon might change his mind. He overcame his conscientious scruples by adopting the theory advanced by other strict constructionist Republicans, namely, that the power to purchase foreign territory was well within the meaning of the treaty-making clause of the Constitution.

No one was certain as to just how much territory had been purchased from France. The treaty read: "the colony or province of Louisiana, with the same extent that it now has in the hands of Spain, and that it had when France possessed it, and such as it should be after treaties subsequently entered into between Spain and other states." Livingston inquired of Talleyrand what these rather obscure delimitations meant, but was told that Talleyrand did not know. Talleyrand knew at the time that the French considered Louisiana to extend to the Rio Grande on the west and the Iberville on the east. These boundaries excluded Florida, but included part of Texas. Inasmuch as France claimed West Florida in 1762, Jefferson suggested to Congress that the United States might rightfully claim it also. This was done by means of the Mobile Act of February 1804, which extended the boundaries of the

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Louisiana purchase to the Perdido River. In 1819 East Florida was ceded to the United States by Spain, and the United States gave up all claims to Texas. Thus, because of the vagueness of the purchase treaty, the United States seized land to which she had no right and later gave up land to which she had a legitimate claim.

The purchase of Louisiana focused the attention of the American Government on the vast empire that had just been acquired in the West. Jefferson, partly inspired by his own interest in natural science, commissioned Captain Meriwether Lewis and William Clark to conduct a scientific exploration into the new territory. In the spring of 1804 Lewis and Clark and about forty-three men began their journey to the westward from St Louis. They were gone about two years and a half, during which time they ascended the Missouri to its source, crossed the Rockies, and floated down the Columbia River to its mouth. Their expedition had a twofold importance: first, valuable information concerning the Indians and the country was gathered, and, second, they established a strong claim to the Oregon country for the United States.

PARTY POLITICS AND DISSENSIONS

The provisions of the Constitution concerning the establishment of the judicial system placed the Republican party in the predicament of finding all the Federal judgeships filled by Federalists. To many this seemed to be a nullification of the election laws, inasmuch as the people had desired to overthrow the Federalists and put the Republicans in power. John Marshall, an extremely strong Federalist, was Chief Justice of the Supreme Court, and was particularly objectionable to the Republicans because of his repeated decisions strengthening the Federal Government at the expense of the state Governments. The Republicans, realizing that the only way to remove a judge was by impeachment for "treason, bribery, or other high crimes and misdemeanors," determined to adopt the principle that partisanship shown from the Bench was a misdemeanour.

Acting on this assumption, John Pickering, a Federal district

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judge in New Hampshire, was impeached in February 1803. The specific charges against him were inebriety and insanity, although there were unmistakable signs that the impeachment proceedings were intended to intimidate other Federal judges. Chief Justice Marshall and another Supreme Court justice, Samuel Chase, accepted the issue and breathed defiance to the Republican legislators. Chase was an outspoken critic of the administration, and declared from the Bench that it threatened the country with mobocracy. The House of Representatives immediately preferred charges against him before the Senate. John Randolph of Roanoke, the prosecutor for the House, instead of clinging to the single charge of partisanship, on which count Chase in all probability would have been found guilty, presented so many other charges that public opinion gradually drifted to Chase, and the Senate failed to convict. This definitely checked the attack on the courts, and saved for the United States the services of that able jurist Marshall. Undoubtedly the Republicans, if successful in impeaching Chase, would have selected Marshall as their next object of attack. The Republicans consoled themselves with the hope of filling every vacancy that occurred with Republicans.

One of the bitterest opponents of Jefferson, although a member of his own party, was John Randolph of Roanoke, chairman of the ways and means committee in the House. His opposition to Jefferson and his principles caused the President much embarrassment. Jefferson gradually began to disagree with Randolph's schemes, many of which were impracticable. Randolph noticed this, and attacked the administration in a bitter, vituperative manner for its attitude toward the Yazoo men. The Yazoo claims arose over the dispute concerning the sale of land, claimed by the United States and the state of Georgia, by the latter. Subsequently Georgia annulled the sales on the grounds that the legislature which authorized them was corrupt. A compromise was effected whereby Georgia was to receive \$1,250,000 and the Yazoo men the proceeds of the sale of 5,000,000 acres of land. When the Bill was introduced in the House of Representatives

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Randolph attacked it in his most sarcastic and biting manner. He was able to defeat it the first time it was introduced and on several subsequent occasions. The result was that the Republicans were divided into Yazoo men (mainly Northerners) and Anti-Yazoo men (mainly Southerners). The Supreme Court held that the original grant was a contract and therefore, under the Constitution, could not be impaired by the State. The matter was finally settled in 1814 by the payment of \$8,000,000 to the Yazoo men. Jefferson, who secretly favoured the Bill, but did not take any part in the discussion of it, did not lose any of his popularity because of it, and was re-elected in 1804 by an electoral vote of 162 to 14.

Aaron Burr, his public career blasted as a result of the killing of Alexander Hamilton in a duel caused by his defeat in the gubernatorial election in New York, fled to the West and settled in New Orleans. Not content to begin life again at the bottom, he immediately started a conspiracy against the United States with the aid of General Wilkinson, the commander of the American forces in the West. Just what idea Burr had in mind has never come to light and probably never will. Some historians believe that he intended to detach Louisiana from the United States and establish a government of his own. Others believe that his machinations were aimed against the hated Spaniard, through an attack on Mexico. Jefferson paid very little attention to his scheming until Burr was betrayed by his treacherous and equally guilty ally, Wilkinson. He thereupon ordered his arrest and trial for treason. Marshall, the judge in charge of the trial, and Randolph, the foreman of the Grand Jury, anxious to hinder Jefferson in every way, found no overt act of treason, and Burr was acquitted. The refusal of Jefferson to attend the trial when ordered by Marshall showed the Chief Justice that there were limits beyond which the judicial department could not encroach upon the executive.¹

¹ The best two authorities on the Aaron Burr Conspiracy are Adams, *History of the United States*, and McCaleb, *The Aaron Burr Conspiracy*.

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FOREIGN RELATIONS AND THE APPROACH OF WAR

These internal dissensions during Jefferson's administration paled into comparative insignificance beside the foreign complications that arose as a direct result of the life-and-death struggle being carried on between Napoleon and England. The former had complete mastery of the Continent and the latter the complete control of the seas. The only neutral of any consequence was the United States, which became the Mecca for the sailor population of the world, as well as the recipient of a vast quantity of carrying trade, which resulted in a great increase in the number of ships sailing under the American flag as well as in the profits of the merchant class. England viewed the loss of her commerce as well as her sailors with justifiable alarm. Consequently it was only natural that she should adopt rules and regulations to restrict American commerce and to keep her own naval force as near to war strength as possible by means of impressment of seamen.

England justified the boarding of American vessels and seizing of seamen by the doctrine of indelible allegiance or inalienable citizenship. It has often been summed up by the phrase, "once an Englishman, always an Englishman." In other words, she denied the doctrine of transferable citizenship, which was the basis of American naturalization laws. Scores of British sailors, from both public and private vessels, deserted in American ports, took out naturalization papers, and signed up with an American skipper in order to avoid the rigours and hardships of the English marine. Great Britain attempted to check this by boarding American vessels and seizing all those who were suspected of being British subjects by birth. The officers of the British vessels were not always courteous and did not always make sure that the man impressed was not a native of the United States. The practice of impressment, while fairly prevalent during the administrations of Washington and Adams, increased greatly during Jefferson's and Madison's owing to the exigencies of the Napoleonic Wars. The virtual blockade which was kept up along the Atlantic sea-coast

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roused the ire of the American people to fever-pitch and did much to produce the war-spirit in 1812.

The trade restrictions placed on American commerce were almost as unendurable as the practice of impressment. One of these rules laid down by the British Government was the so-called Rule of 1756, which declared that a trade not open in times of peace could not lawfully be open in times of war. This meant that the Americans could not carry goods from the colonies of European countries to the mother country. They evaded this by landing the goods at an American port and then re-exporting them to the mother country. This was declared legal in 1800 by the British Admiralty Courts in the case of the *Polly*. The British shippers complained about this, because the Americans were getting a monopoly of the French and Spanish carrying trade. In 1805 Great Britain adopted a new policy in the case of the *Essex*. The ultimate destination was now to determine whether the trade was legal or not. That is, if goods were brought from a French colony to an American port with the idea of reshipping them to France it was a violation of the Rule of 1756, and the ship was liable to seizure. Many ships were seized under this new interpretation, which resulted in great dissatisfaction and complaint in the United States. When formal complaint was made to the British Government Fox adopted the scheme known as 'Fox's Blockade,' which was expected to appease the Americans and satisfy his own people. The new regulation blockaded the coast of Europe from Brest to the Elbe, but the navy was only to enforce it from the Seine to Ostend, and thus permitted the Americans free intercourse between Brest and the Seine and Ostend and the Elbe.

This scheme might have worked if Napoleon had been willing. He retaliated, however, with his famous Berlin Decree, which declared a complete blockade of all British possessions in Europe, all British property to be prize of war, no ship from British ports to be permitted to enter a port controlled by France, and the confiscation of vessels trying to avoid the Decree by false papers. Napoleon had absolutely no means of enforcing this decree, which was a flagrant violation



THOMAS JEFFERSON
President of the United States 1801-9
From the painting by Gilbert Stuart

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of international law. England replied with two Orders in Council, the first (January 7, 1807) forbidding neutrals to trade with ports under French control, and the second (November 1, 1807) forbidding neutral trade with Brest and Copenhagen unless the neutral had cleared from a British port after meeting certain requirements. Napoleon replied to this with the Milan Decree, which ordered every neutral ship to be seized and confiscated which allowed itself to be searched by England or which touched at an English port. By the beginning of 1808 these regulations threatened the destruction of American commerce, inasmuch as a ship could not sail without being liable to capture unless it were bound for Sweden, Russia, or Turkey. The commercial class in the United States complained so loudly that Jefferson was forced to take action.

A pacifist at heart, he looked round for some peaceable means to compel Great Britain and France to respect American rights on the seas. Adopting the principle that American commerce and supplies were essential to both belligerents, he determined on a policy of peaceful coercion. The first step was the Non-Importation Act of 1806, which provided that certain classes of articles should not be imported from Great Britain. This was followed by a futile attempt to settle the difficulties through diplomatic channels. The treaty that resulted was not even presented to the Senate by Jefferson.

After these two efforts had failed to produce results, Jefferson advocated an embargo, which was incorporated in an Act passed by Congress on December 21, 1807. It provided that no vessels were to leave American ports for foreign countries. It was bitterly opposed by Federalists in New England, and was avoided in every possible way. While discussions over it were rife the election of 1808 was held, and Madison was chosen as successor to Jefferson.

The embargo failing, it was superseded by the Non-Inter-course Act of 1809, which provided for non-intercourse with Great Britain and France until such times as one or the other should abandon the restrictions on American commerce. This law was in effect one year, during which time negotiations

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were again carried on in vain. On May 1, 1810, another Bill was passed which reopened trade with these two countries, but gave the President power to re-establish the non-intercourse restrictions on one nation if the other repealed its restrictions. Napoleon seized this opening and turned it to his own advantage. He informed Madison that the Berlin and Milan Decrees would be repealed on November 1, 1810. Madison too readily believed him, as did Congress. Non-intercourse with Great Britain was applied to Great Britain on March 2, 1811. Feeling ran high against Britain throughout the entire nation. This was very unfortunate, because it was later proved conclusively that Napoleon was merely toying with the United States in the hope of embroiling her in a struggle with his mortal enemy.

The War of 1812 would probably never have occurred, however, if the trade restrictions had been the only cause of friction. The passage of the Bill permitting intercourse with all nations contented the commercial classes, because they were satisfied to suffer the large losses involved for the sake of the huge profits obtainable. Other sources of annoyance, and a change in the character of the men who were elected to Congress, gradually pushed the two nations over the precipice of war. The impressment of seamen took on a new aspect after the *Leopard*, a British frigate, fired upon the American frigate *Chesapeake* because the latter had a British deserter aboard under an assumed name.

The feeling against Britain was further aroused by the Indian uprisings in the North-west. The Indians had a natural grievance against the Americans on account of the seizure of their lands, and were banded together to prevent further encroachments on their hunting-grounds. A battle was fought at Tippecanoe, in which the Americans, led by General William Henry Harrison, were victors over the Indians led by Tecumseh. Incontrovertible proof that the Indians obtained their arms and ammunition from Canada stirred the Westerners to a hatred of the British that only the fear of death by Indian massacre could engender.

The effect of the severe trade restrictions, impressment of

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seamen, and Indian uprisings on the people of the United States was clearly reflected in the elections of 1810. Many of the pacifists failed of re-election, and their places were filled by young men like Clay, Johnson, Calhoun, Cheves, and Lowndes, who, while they still called themselves Republicans, rejected the old principle of peaceful coercion and demanded war as a balm for the insults to the national honour. Madison was sucked along in the wake of these 'war-hawks,' and to them largely owed his re-election in 1812.

With the war party in the saddle and an armed conflict inevitable, a strong group in England demanded the repeal of the objectionable Orders in Council. After a prolonged struggle this was done on June 16, 1812, and was actually put into effect on June 23. The flood was too strong to be dammed, however, and on June 18 war was declared by the United States on Great Britain. War might have been averted had there been cable communication between the two countries.¹ England did not want the war, and the United States was unprepared for it. The country was divided into two well-defined sections, the South and West favouring it, and the North and East being opposed to it. The Federal finances were in a deplorable state, caused largely by the failure to renew the charter of the United States Bank in 1811. The army lacked men and officers, and the navy had less than twenty vessels that could be counted on to take an active part in the war.

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The lack of foresighted preparation for war on the part of the United States borders on the ridiculous. She declared war on the mistress of the seas, a nation with a strong military tradition, with officers of great ability and experience, and with an army at the height of its efficiency in the midst of a great campaign. To all of these what did the United States oppose? A regular army of some sixty-seven hundred men, officered by old men or men of petty experience, of whom General Winfield Scott said that they were sunk in sloth

¹ Bassett, *A Short History of the United States*.

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and ignorance, many of them being ruined by intemperate drinking.¹ Arms, ammunition, clothing, stores, and plans were sadly wanting. The American navy consisted of about twelve vessels, manned by 5000 men, as opposed to Great Britain's 800 vessels, manned by 150,000 men. The navy, however, could recruit forces from the merchant and fishing fleets, which at that time were the best in the world. The officers of the navy, in direct contrast to those of the army, had seen actual experience in the Barbary wars, and had an *esprit de corps* that was lacking in other branches of the Federal service.² The one real advantage possessed by the Americans was their geographical location. Separated from the enemy by the ocean, they could feel relatively secure from invasion on a large scale. England could blockade the coast and capture the sea-ports, but she could neither spare nor transport the men necessary to penetrate to the Alleghanies from Canada to Florida.

The war divides itself naturally into three phases, the Northern, the South-western and central, and naval, and will be treated subsequently in that order. The plans of the war department called for an aggressive land campaign, which had for its object the control of Canada. The plan of attack, sketched by General Dearborn, provided three main lines of advance, one each from Sackett's Harbour, Detroit, and Niagara. Military authorities agree that this plan was the most feasible, but they also agree that no thought was given to the details of execution, such as transport and commissary. Roads were scarce, very little food was to be had along the line of march, and hostile Indians lurked in the forests and swamps ever ready to pounce upon unsuspecting Americans.

To General William Hull, a soldier of the Revolution, sixty years old, was given the task of capturing Malden, almost opposite Detroit. He crossed the river from Detroit and faced General Brock with a superior force of men. Instead of attacking immediately, he succumbed to his fears of the Indians and recrossed the river to Detroit, much to the

¹ Babcock, *Rise of American Nationality*.

² Roosevelt, *Naval War*.

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disgust of his men. The British and Indians under Brock followed him and demanded the surrender of Detroit, the commander declaring that he would not be able to restrain the Indians if an engagement ensued. Much to Brock's surprise, and to the chagrin of his own men, Hull complied with the request. He was later tried by court-martial and sentenced to death, but the sentence was commuted by the President.

Attempts to advance into Canada from other points were equally unsuccessful and badly managed. In November 1812 General Dearborn marched on Montreal from Plattsburg, New York, but was compelled to return when his militia refused to leave the territory of the United States. An attempt on the part of General van Rensselaer to invade Canada from Niagara failed miserably also. He was seriously defeated at Queenstown and compelled to retreat. General Smythe, who succeeded him, was also defeated in a half-hearted struggle which caused him the loss of his command.

The first fortune to American arms occurred in September 1813, when, owing to Perry's victory on Lake Erie, General Harrison drove the British from Malden and defeated them at the Thames River. This victory was offset by the failures of Generals Wilkinson and Hampton in Western New York. These failures practically compelled the Republicans to give up all hope of conquering Canada. General Winfield Scott's victory at Chippewa, General Jacob Brown's victory at Lundy's Lane in the summer of 1814, and the checking of Sir George Prevost's attempt to invade the Hudson River valley were three bright spots for the Americans in a three-year campaign marked by inefficiency, ignorance, and in some cases cowardice, on the part of commanders who received their appointments largely for partisan reasons.

The campaigns in the South-west and the centre may be skimmed over rather lightly, for they had very little immediate effect upon the war. On the American side military activities were largely confined to the subjugation of the Creek and Seminole Indians in Florida and Alabama, under the able leadership of Andrew Jackson. The British were not ready for a combined land and sea attack until 1814.

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The land attack was to be carried out by large bodies of seasoned troops, released from the battlefields of Europe by the downfall of Napoleon. Several thousand of these were sent to Canada, while four thousand more were sent to create a diversion along the Atlantic seaboard. These last-mentioned troops landed in Maryland in August 1814, and meeting with no opposition worthy of the name marched to Washington and burned most of the public buildings. They next turned their attention to Baltimore, where hastily prepared entrenchments and shallow water held up their land and sea operations.¹ The British forces then left the Chesapeake and proceeded to Jamaica, from which island a fleet of fifty ships and 10,000 men left to attack New Orleans and other Gulf ports. With an attack in force imminent, Andrew Jackson, the military commander of New Orleans, hastily constructed defences about five miles from the city. On January 8, 1815, General Pakenham, the British commander, attacked and was severely defeated, losing his own life and sustaining a loss of about 2000 men as compared with 71 on the American side. The British were compelled to retreat and give up all thoughts of controlling the Gulf ports, although they did destroy later the forts at Mobile Bay. The battle of New Orleans had no effect on the outcome of the war, because peace was already signed, but it did have a tremendous effect on American history.²

The war on the seas more than made up for the shortcomings of the Americans on land. When looked at in its broadest aspects, the Americans were unsuccessful, inasmuch as their public and private vessels were practically driven from the seas before the war closed. Nevertheless, in individual encounters with enemy ships, and in their successful attacks on British commerce with their privateers, they created a feeling of confidence and patriotism at home and

¹ It was during the attack on Baltimore that the American anthem, *The Star-spangled Banner*, was written by Francis Scott Key.

² Andrew Jackson immediately became a national hero as a result of the battle. The confidence of the people was restored, and the militiamen of the West, who had won the victory, took an increasingly important part in the affairs of the nation.

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a feeling of respect abroad. The Navy Department adopted the policy of scattering its small fleet over the Atlantic and using it against the enemy wherever possible. This was the wisest policy to pursue, inasmuch as to keep them in the harbours would mean their utter uselessness. In 1812 the Americans won four sea duels, which had a tremendous effect at home and abroad. The *Constitution* captured and burned the *Guerrière*, a vessel that had become notorious for her impressments; the *Wasp* defeated the *Frolic*, but was herself captured by a larger ship; the *United States* took the *Macedonian* into Newport as a prize, and the *Constitution* captured and destroyed the *Java*. In justice to the British vessels it must be said that, with the exception of the *Wasp-Frolic* battle, the American vessels were larger and carried more metal.

In February 1813 the American *Hornet* defeated the British *Peacock*, but this was more than counterbalanced by the destruction of the *Chesapeake* by the *Shannon* in June of the same year. By the close of the war all the American public vessels (warships and privateers) were either captured or blockaded in the harbours of the Eastern seaboard. Two battles of the Great Lakes deserve mention. On September 15, 1813, Captain Oliver Perry decisively defeated a British fleet on Lake Erie, thus paving the way for the success of General Harrison mentioned above. In the summer of 1814 Captain McDonough defeated a superior British fleet on Lake Champlain, and in this manner checked Prevost's invasion of the Hudson River valley.

American privateers roamed all over the seas during the course of the war, and many of them had spectacular and profitable voyages. It was a comparatively easy matter to gather men and ships to go on these venturesome trips. About 500 vessels were licensed, most of them coming from Massachusetts, New York, and Maryland. About half of them failed to take prizes, but the remainder captured nearly 1350 merchantmen and small public vessels (warships and privateers). While this number of prizes was a relatively small percentage of the vessels sailing under the British flag, the loss of these ships shook the faith of many Englishmen in

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their navy and compelled the use of a number of warships as convoys.

Before turning to the treaty of peace a word should be mentioned concerning the attitude of the Federalists of New England toward the war. To say they were unalterably opposed to it would be expressing it mildly. They called it 'Mr Madison's War.' It greatly injured their prosperity by restricting their commerce, so they determined to do all in their power to hinder it. They refused to supply militia for Federal service, refused to give any financial assistance, and even went so far as to sell supplies to the enemy's army. Their opposition culminated in the Hartford convention, at which representatives from the New England states met to consider the condition of the country. Although the report, when published in 1833, contained nothing treasonable, every one then felt that it was only Jackson's victory at New Orleans and the Treaty of Ghent that prevented the establishment of a New England Confederacy with the strong possibility of an alliance with Great Britain.

As early as September 1812 the peace negotiations that finally ended the war were under way. The Tsar of Russia offered his services as mediator to John Quincy Adams, the American ambassador to Russia. Madison accepted for the United States and sent commissioners abroad. He discovered, much to his chagrin, that Lord Castlereagh, the British Foreign Minister, had not accepted the Tsar's offer. Not wishing to offend the Tsar, however, Castlereagh stated that he was willing to treat directly with the Americans, and so notified Madison on January 3, 1814. Direct negotiations were not begun until August 1814, and it was not until December 24, 1814, that the Treaty of Ghent was signed.

The American commissioners demanded that impressments and the right of search be abandoned by Great Britain. Great Britain countered with proposals that an Indian buffer-state be established as a protection to Canada and that she be given free navigation of the Mississippi. She felt that now the Napoleonic wars were ended she could dictate to the Americans. The publication of these demands created such

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an uproar in America that Castlereagh determined to abandon them. He was further embarrassed by the gradual trend against England in the Congress of Vienna. These two events, coupled with the preparations on the part of the American commissioners to sail for home, finally compelled him to abandon his harsh conditions of peace, and, after a great deal of haggling, to sign a treaty in which neither side gained or lost.¹

The treaty provided for a cessation of hostilities, the release of prisoners, the restoration of all conquests, the appointment of a commission to settle the Canadian boundary dispute, and the termination of Indian hostilities. As no steps were actually taken concerning the slave-trade, it remained a source of controversy between the two countries. Not a word was mentioned concerning impressment or right of search, the two principal causes of the war. It was, as Gallatin, one of the commissioners, wrote to Monroe, "as favorable as could be expected under existing circumstances, so far as they were known to us."²

¹ Bassett, *A Short History of the United States*.

² Babcock, *Rise of American Nationality*.



LAKE ERIE AND THE SURROUNDING COUNTRY

BOOK III

NATIONAL *VERSUS* SECTIONAL INTERESTS

1816-40

CHAPTER I

A NEW NATIONAL SPIRIT

THE War of 1812 has often been referred to as the Second War of Independence. When looked at from the point of view of immediate advantages, however, the results were purely negative. Between ten and thirty thousand men (the estimates vary)—less than 2 per cent. of the military population—were killed, wounded, or captured, two hundred million dollars were spent on it, high prices prevailed on some articles and low prices prevailed on food-stuffs, the principal product of the country, and foreign commerce fell away to almost nothing. With the close of the war, however, old things had passed away—questions of neutral rights, impressments, embargoes, orders in council, French decrees, Napoleonic treachery. The new world was to be a domestic one. In the United States its questions would be too large for the states to solve alone; national settlement and national action would be required on such issues as the currency, banking, the tariff, internal improvements, public lands, the extension of slavery, immigration, and the development of the West.¹ One of the chief political results of the war was the gradual merging of the political parties into one big party, which was actuated by a consciousness of nationality. A man was no longer pro-British or pro-French. He was an American. He no longer looked upon these countries as a child does upon a

¹ Babcock, *Rise of American Nationality*.

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parent, but he cast aside all such feelings and assumed the dignity of full-grown manhood. One evidence of this was the complete reversal of attitude on the part of the Republicans toward the army and navy. Instead of cutting them down to the smallest possible number, as they had planned before the war, they determined to keep an army and navy commensurate with the newly gained importance of the United States in world affairs. In other ways—social, religious, and literary—there were concrete evidences of that peculiar sense of detachment and opportunity that went hand in hand with the new feeling of nationality.

As stated at the close of the previous chapter, the Treaty of Ghent left in abeyance several matters of dispute, such as commercial intercourse between the United States and the British West Indies, the fisheries off Newfoundland, the navigation of the Mississippi, the disputed boundary in the North-east and North-west, the regulation of the slave-trade, and the compensation to be paid for slaves carried off by the British during the war.¹ A commercial agreement was signed by the United States and Great Britain in the summer of 1815. By the terms of this reciprocal freedom of trade was granted between the United States and European Great Britain. The Americans were also permitted to participate in the East India trade, but not in the East India carrying trade. The question of trade with the British West Indies remained *in statu quo*—i.e., it was closed to American commerce. This was a severe blow to American commerce, although strictly in accordance with Great Britain's colonial policy.

The right to fish off the coast of Newfoundland was almost as important to the Americans as the trade with the West Indies. The Treaty of Paris in 1783 fully conceded to the Americans freedom to fish on the Grand Banks and in other Canadian waters. Attempts to have this same provision included in the Treaty of Ghent were unsuccessful, because the British Government declared this to be a privilege and not a right and to have been abrogated by the War of 1812.

¹ Babcock, *op. cit.*

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Acting on this assumption, the American fishermen were driven from the Banks the year after the war. This vexed question was adjudicated by a provision of a treaty signed in 1818, when American fishermen secured liberty to fish within certain limited areas and to use such adjacent coasts as might be unsettled for curing their fish.¹

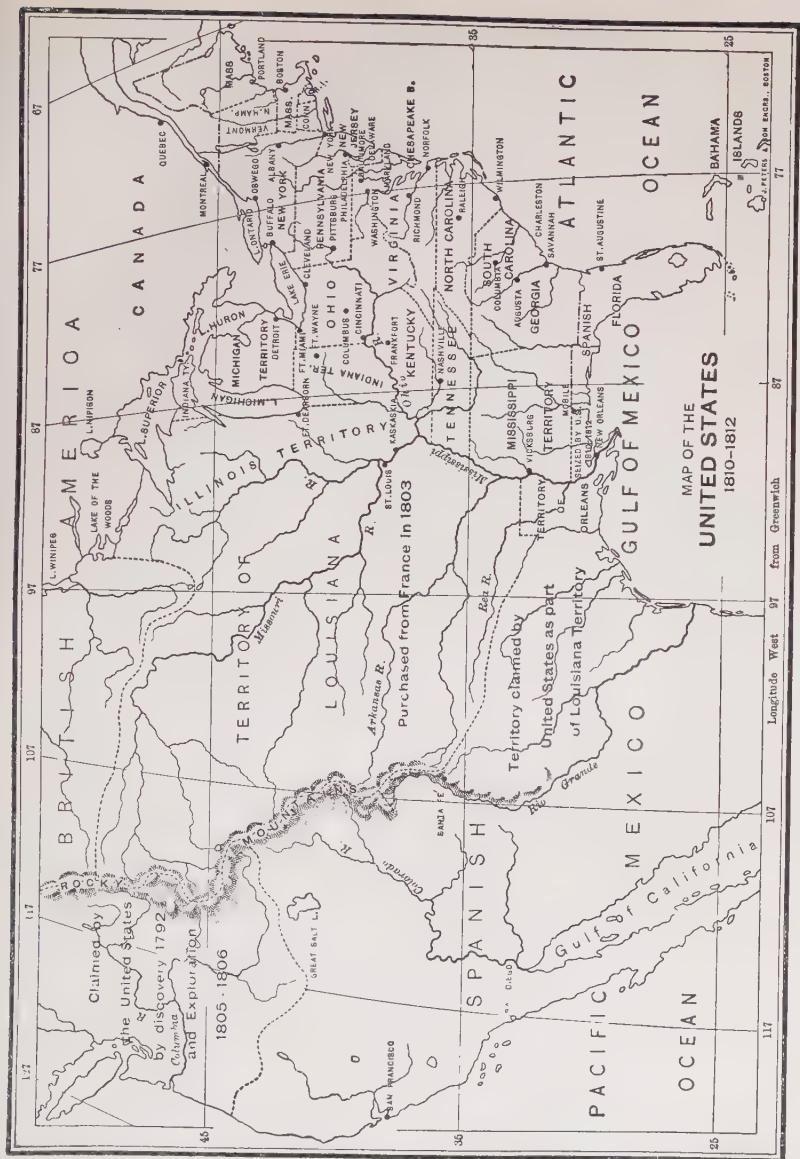
By the same treaty the North-west boundary line and the Oregon question were settled. The boundary line of 1783 was very vague and geographically incorrect. By the new treaty a north and south line was to be drawn through the north-western part of the Lake of the Woods. The boundary followed this line to the forty-ninth parallel of latitude and was then to run along that parallel to the Rocky Mountains.² The Oregon question arose over the rival claims to that region advanced by Great Britain and the United States. The territory west of the Rocky Mountains was very sparsely settled, and as a result the question in dispute was not very pressing. This fact being recognized by both parties, it was determined that the disputed territory should be jointly occupied, "free and open . . . to the vessels, citizens, and subjects of the two powers,"³ without damaging the claims of either country. This settlement remained in force until 1846, when the entire matter was cleared up.

The commissioners of the two countries left the question of the payment of claims for negro slaves carried off by the British during the war to the Tsar of Russia to arbitrate. He decided in favour of the United States, and as a result Great Britain paid over a million dollars to American claimants. This commission of 1818 failed to secure larger rights or privileges for Americans in the West Indies trade, failed to settle the North-eastern boundary dispute, and made no provision for the regulation of the slave-trade. Despite the failure to settle these three problems, the treaty of 1818 might really be considered the treaty that ended the war, because it settled more problems of the war than did the Treaty of Ghent itself.

¹ Coman, *Industrial History of the United States*.

² *United States Treaties and Conventions*, p. 416.

³ *Ibid.*



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Another phase that might be considered in connexion with the completion of independence was the settlement of American difficulties with Spain. Ever since the acquisition of Louisiana Americans had cast longing eyes at Florida, which hemmed in the United States on the south. During 1810 and 1812 the United States had seized West Florida and made no secret of the fact that East Florida would be a welcome addition of territory. Arguments for its seizure were the rank inefficiency of the Spanish rule there, spoliation claims against Spain, the unrestricted use of its harbours by smugglers, and the use of its territory as a base for Indian raids into Georgia and neighbouring states.

After the close of the war General Jackson was ordered to the frontiers of Florida to prevent further attacks on the United States by Indians from the Spanish territory. Jackson, with customary disregard for international law, crossed the Florida line, deposed Spanish officials, took possession of towns and fortresses, and executed two citizens of Great Britain who were accused of stirring up the Indians against the Americans. Monroe, who had been elected President in 1816, was put to much difficulty and embarrassment by Jackson's acts. Great Britain and Spain vehemently protested, and demanded a disavowal and Jackson's punishment. This latter Monroe was unable to effect because of Jackson's great popularity and because of the nature of the orders that had been given to him. He adroitly avoided the disavowal by placing all the blame directly on the inefficiency of the Spanish Government. This was followed by a strong demand upon Spain that she should establish a Government in Florida strong enough to cope with any situation that might arise within its borders. Inability to comply with this request led to the attempt to settle the question through diplomatic channels. This resulted in the treaty of February 22, 1819, by which Spain ceded both the Floridas to the United States, in return for which the United States assumed claims of American citizens against the Spanish Government amounting to five million dollars and renounced all claims to Texas. Thus was Spain practically compelled to give up the southern

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fringe of the United States, with its control of the Gulf of Mexico, two objects for which Americans had been clamouring since 1783.

GROWTH OF WEST AND SOUTH-WEST

The War of 1812 unconsciously determined the future economic history of the United States. Up to that time all faces were turned toward the sea, which was by far the chief source of income for the majority of the people of the country. The Non-importation, Embargo, and Non-intercourse Acts, as well as the war itself, practically closed this source of income and forced capital and labour to divert themselves into new channels. Two fields of endeavour were open, the infant industries and the virgin lands of the West. The following section will deal with the former of these and this section with the latter.

For a decade following the Revolution there was a strong movement westward to the fertile territory of Ohio, Kentucky, and Tennessee. This movement had practically ceased by the beginning of the nineteenth century, and did not begin again until after the close of the War of 1812. This second migration was initiated largely because of the defeats of the Indians and the introduction of the steamboat on Western waters. The flood of immigrants came both from the States and from the Old World. From 1817 onward thousands of Germans and Irish emigrated to the United States, and the vast majority of them settled in Ohio, Indiana, Illinois, and Michigan, where land was cheap and plentiful. The unsettled portions of the Eastern states did not seem to appeal to the newcomers. Largely as a result of the so-called first immigration, Ohio was admitted to the Union in 1803. Then occurred a cessation of state-making until after the War of 1812, with the exception of the case of Louisiana, which was admitted during the first year of the conflict. As a result of the second migration Indiana was admitted in 1816, Mississippi in 1817, Illinois in 1818, Alabama in 1819, and Missouri in 1821. This increase in the number of states in the Union gives a striking proof of the effect of westward

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expansion on American history. The centre of population, of political power, and contention was rapidly moving westward. This new horde of settlers did not all stop at the Mississippi River, for many of the more hardy pushed across it, drove back the French trappers and the Indians, and carved out many new states in the western basin of that river.

Four important movements were taking place in the West at this time which were later to affect the whole people. (1) The American type was developed—a type that embodied many of the characteristics of the Eastern people from whom it sprang, uniting with them a vigour, an enterprise, and a broadmindedness that was its own. (2) In the West legal and political equality was developed much earlier than in the older part of the country. (3) There was a tendency in the West to view things from a national rather than from a local or a sectional point of view. (4) Many political and social problems which arose in the West, and in whose solution the entire nation was concerned, were solved by the West itself, because the West was progressive and united.¹

INTERNAL IMPROVEMENTS

The opening of the West was carried out under extreme hardship. No roads, no canals, and in many cases no trails or rivers, was the lot that the hardy pioneer had to face. As the population west of the Alleghanies grew, the demand for better means of transportation of supplies, mail, etc., also grew. As these improvements were entirely too big for state or private financing, the eyes of the West turned to the central Government at Washington for relief and aid. When the state of Ohio was admitted in 1803 Congress planned to spend money from the sale of public lands in the construction of a road from Cumberland, Maryland, westward to the Mississippi. Although little was immediately accomplished in the construction of this road, it established the principle of Federal aid to internal improvements. In 1808 an elaborate plan was drawn up by Albert Gallatin to spend the surplus in the United States Treasury on an intricate system of

¹ Ashley, *American History*, p. 284.

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road- and canal-building. The events preceding the War of 1812 and the war itself swept away the surplus and practically compelled the abandonment of the scheme. After the close of the war, and during the second great migration, renewed attention and interest was drawn to this feature of national development. Objections were made to spending money on internal improvements, on the grounds that they were really local improvements and that nowhere in the Constitution was power specifically given to spend money in this manner. An internal improvement Bill was passed by both Houses of Congress in 1817, but was vetoed by President Madison on constitutional grounds.

Despite this setback, the period just after the war witnessed the building of many roads and canals. Virginia, South Carolina, Pennsylvania, and New York took the lead among the several states in this respect. The greatest undertaking and largest achievement of any state fell to the lot of New York. Under the initiative of Governor De Witt Clinton a canal 363 miles long was built from the Hudson River to the Great Lakes. It took seven years to build, and the cost was about seven million dollars. The effect on New York was almost instantaneous. The city of New York became the gateway to the West, and soon took from Philadelphia the distinction of being the first harbour in the New World. Those friends of spending money on internal improvements had hoped that the new President, Monroe, would take a broader view of the matter than his predecessor, but they were sadly doomed to disappointment, and the question was dropped for a long period of years.

INDUSTRIAL DEVELOPMENT

The United States at the beginning of the nineteenth century was essentially an agricultural and commercial country. More than sufficient foodstuffs and raw material to supply the home market and keep the commercial class busy were produced. In return for these the country was supplied with most of its manufactured articles from abroad. When the bitter struggle broke out between Napoleon and

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Great Britain the American consumers were faced with the problem of buying all their manufactured articles in the domestic market. This was naturally a severe strain on the few manufacturers that were in existence. Fortunately, the driving of American commerce from the ocean had a salutary effect, in so far as the capital thus released was gradually diverted into industrial pursuits. A large amount of this capital was invested in cotton mills. In 1804 only 8000 spindles were in operation as compared with 500,000 in 1815. The centre of this industry, heretofore almost entirely restricted to Great Britain, was in Rhode Island and other New England states where water-power was abundant. The introduction of the power-loom in 1814 made the manufacture of textiles a comparatively simple process, and permitted most of the work to be done by women and children. In 1815 the value of the cotton manufactures was \$19,000,000, as compared with \$4,000,000 in 1810, and they were almost sufficient to supply the needs of the domestic market. The manufacture of woollens also increased by leaps and bounds. Sheep-raising, never a very profitable venture, received a new impetus after the Embargo Act, and was furthered by the importation of thousands of merino sheep from Spain. After several unsuccessful attempts the power-loom was applied to the woollen industry, and this became an established trade. Iron-manufacturing was another industry that took tremendous strides forward. During the 'peaceful coercion' and war periods Western Pennsylvania produced almost 50 per cent. of the iron ore consumed in the country. One of the principal elements in the success of this industry was the discovery that anthracite coal could be substituted readily for the bituminous coal, formerly imported from England, as a fuser of the ore. In 1810 only 3000 tons of iron manufactures had to be imported. In other manufacturing lines, such as wood, paper, leather, tallow, spermaceti, whale oil, and molasses, the United States produced enough to supply the domestic market. Tobacco and hats were produced in sufficient quantities to permit exportation of surplus stocks.

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The one large factor that enabled these manufacturing industries to increase in such a mushroom fashion was the cutting off of the trade with Great Britain between 1807 and 1815. With the coming of peace the British Government and merchants began to take steps to stifle these infant industries. The method adopted was the sending of shiploads of cotton, woollen, and iron manufactures to the United States on credit and then selling them at auction, with the hope that this cut-throat competition would soon drive the Americans out of business. Lord Brougham justified the speculative character of this trade on the ground that "it was well worth while to incur a loss upon the first exportation, in order by the glut to stifle in the cradle those rising manufactures in the United States which the war had forced into existence contrary to the natural course of things."¹ These importations amounted to \$83,000,000 in 1815 and \$155,000,000 in 1816. The effect on American industry was almost immediate. Iron, woollen, and cotton mills were shut down all over the country. Thousands were thrown out of employment, and many men who had invested all their capital in manufacturing were ruined. The session of Congress that met in 1816-17 was flooded with petitions asking for protection against the destructive and unfair competition of the British manufacturers.

The result of these petitions was the passage of the Tariff Act of 1816, which increased the rates in effect during the war by 15 to 20 per cent. Even this increase did not stop the flood of importations from England, with the result that the manufacturing interests kept up a continuous bombardment of Congress for further protection. They were unsuccessful until 1824, when a Bill barely passed Congress raising the import duties to an average of 36 per cent. Even this purely protective measure did not satiate the exorbitant demands of the iron and textile manufacturers. Another Tariff Bill was passed in 1828, which was later called the Tariff of Abominations, because, while it raised the duty on manufactured articles, it also placed a duty on raw materials.

¹ Coman, *Industrial History of the United States*.

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This latter provision, included for political reasons, practically nullified the former. In 1832 another Bill was passed which tried to abolish some of the weaknesses of the 1828 Bill. These two Bills, meeting with bitter opposition in the South, were superseded by the Compromise Tariff of 1833, which provided for a gradual reduction in the duties each year until 1842, when they were to reach a horizontal rate of 20 per cent. *ad valorem*. The political controversies waged over the Bills will be treated in subsequent chapters.

EARLY CONSTITUTIONAL INTERPRETATION

One of the most important signs of the development of a new national spirit was the strengthening of the national Government at the expense of the individual states by means of decisions of the Supreme Court, which had far-reaching effects. Although originally intended to be one of the three co-ordinate departments of the American Government, it was a long time before the Supreme Court asserted itself to a sufficient degree to be looked upon as such. One of the chief reasons for its slow growth was the fact that in its early days very few cases were brought before it. This had the effect of placing a very low value upon the justiceships. Another was the attitude of the Republicans toward it. During Jefferson's two administrations the Supreme Court was composed largely of Federalists appointed by Washington and Adams. Consequently they were despised, and no occasion was overlooked to check and hinder them.

In 1801 Adams appointed John Marshall Chief Justice of the Supreme Court. He was a moderate Federalist, with strong ideas concerning the supremacy of the national Government over the individual states. He held the Chief Justiceship for a period of thirty-five years, during which time his leadership and influence did much to strengthen the national Government, and, as a corollary, to keep the individual states within bounds. During his first fifteen years of office he was not called upon to decide many important constitutional cases, but his time was spent in moulding to his constitutional views the other justices of the courts. It is a singular fact

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that, although the Supreme Court had become Republicanized by 1811, it had nevertheless adopted the broad fundamental principles of a loose construction of the Constitution as laid down by Marshall. This type of interpretation has enabled the Constitution to be a living document and to supply the needs of a country of more than 110,000,000 souls.

The case of *McCulloch v. Maryland*, decided in 1818, was the most important decision rendered by the Supreme Court up to that time. Its importance lies not so much in the immediate effect as in the establishment on a firm basis of the fundamental doctrine of implied powers. The case arose out of the attempt on the part of Maryland to lay a heavy tax on a branch of the United States Bank. The case finally reached the Supreme Court, and that body undertook to answer the question, Has Congress the power to incorporate a bank? This opened up the entire question of the justification of the doctrine of implied powers. The decision of the court, which was unanimous, decided that such an interpretation was entirely within the scope of the Constitution. "The government of the United States, then, though limited in its powers, is supreme; and its laws, when made in pursuance of the constitution, form the supreme law of the land. . . . There is no phrase in the instrument which, like the Articles of Confederation, excludes incidental or implied powers; and which requires that everything granted shall be expressly and minutely described. . . . The power of creating a corporation . . . is not a great substantive and independent power, which cannot be implied as incidental to other powers, or used as a means of executing them . . . but [is] a means by which other objects are accomplished. . . . Let the end be legitimate, let it be within the scope of the constitution, and all means which are appropriate, which are plainly adapted to that end, which are not prohibited, but consist within the letter and spirit of the constitution, are constitutional. . . . Where the law is not prohibited and is really calculated to effect any of the objects entrusted to the government, to undertake here to inquire into the degree of the necessity,

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would be to pass the line which circumscribes the judicial department, and to tread on legislative ground.”¹

This doctrine of implied powers was reiterated again and again during Marshall's tenure of office, and has become one of the established principles of interpretation of the Federal Constitution. The case of the American Insurance Company *v.* Cantor (1828), arising out of the acquisition of Florida, justified the right of the United States Government to acquire new territory. It will be remembered that Jefferson had qualms of conscience concerning the purchase of Louisiana, but it will also be remembered that after Marshall rendered the following decision for the Supreme Court, “The constitution confers absolutely on the government of the Union the power of making war and making treaties; consequently, that government possesses the power of acquiring territory either by conquest or treaty,” no statesman ever discussed the constitutionality of any future acquisition, but limited himself to the question of expediency or morality.

The Supreme Court also developed the theory that the law-making bodies of the states were in every case under the national Constitution and bound by the paramount authority of the Federal Government. Two celebrated cases arose under this doctrine in connexion with that provision of the Constitution which prohibits the states from passing a law impairing the obligation of a contract. The Yazoo land question brought forth the case of *Fletcher v. Peck* (1810), in which the court held that grants of land are contracts, and that nullification of grants so made, by repeal of the law, constituted a violation of contract by the state itself. The Dartmouth College case (1819) arose over the attempt on the part of New Hampshire to alter the provisions of the charter granted to the college. The college sued on the grounds that a charter was a contract and could not be impaired by the state without the consent of the college. The court upheld the college's point of view, which was ably presented by Daniel Webster. This decision immediately brought under the power of the Supreme Court acts of incorporation, charters,

¹ Babcock, *Rise of American Nationality*, p. 294.

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and acts pertaining to them. The growth of huge financial and industrial organizations chartered under the laws of individual states has made this decision one of the weightiest and most far-reaching in the annals of the court. The force of the Dartmouth College case has been somewhat diminished, however, by the growth of the doctrine of police powers in the twentieth century, which establishes the principle that a law violating the terms of a contract is valid if its aim is to protect the morals, health, or safety of the people.

The case of *Gibbons v. Ogden* (1824) established the wide control that the United States Government has over interstate commerce to-day. New York had granted a monopoly of navigating the waters of that state to a certain company. A suit was brought under the interstate commerce clause of the Constitution, and the Supreme Court laid down a broad definition of the word 'commerce.' "Commerce, undoubtedly, is traffic, but it is something more; it is intercourse. It is the commercial intercourse between nations, and parts of nations, in all its branches, and is regulated by prescribing rules for carrying on that intercourse. . . . All America understands and has uniformly understood the word commerce to comprehend navigation."¹ Developing this doctrine to its greatest extent the United States Government to-day has control over all forms of transportation by land, sea, and air, and also over communication by coach, boat, telegraph, telephone, and wireless.

Though the Supreme Court was the last of the three departments of the Government to exert its influence on the process of nationalization, it abundantly justified Washington's judgment of it as "that department which must be considered as the keystone of our political fabric." Through wars and factions, through expansion and industrial transformation, through wisdom arising out of experimentation and endowment, the arch of Washington's vision stood solid and complete.²

¹ 9 Wheaton, 1, 190.

² Babcock, *Rise of American Nationality*.

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THE MONROE DOCTRINE

When the armies of Napoleon overran Spain and set up a French Government at Madrid the vast colonial possessions of the Bourbons in both North and South America refused to recognize the usurpers. They revolted in 1808 and opened up their ports to foreign commerce, particularly to that of Great Britain and the United States. Upon the restoration of the Bourbons these colonies were all brought back under the nominal control of the Spanish king. The attempt to impose upon them the old 'closed door' policy was the signal for another continent-wide revolt, with the result that by 1822 every Spanish possession in the New World was in the hands of a revolutionary Government. A sinister alliance in Europe appeared on the verge of crushing these budding republics. This was the Quadruple Alliance, which had sprung from the Holy Alliance. In theory it was formed to promote Christian brotherhood, but under the reactionary leadership of Metternich it developed in practice into an agent for the crushing of popular revolts and a continuance of the *status quo*. A revolution in Spain in 1820 was put down by the French in 1823, and the monarch of Spain suggested that the Powers of Europe should employ their military forces to crush the revolts in the New World on the ground that they were dangerous to hereditary government.

As yet the United States had not recognized the newly formed Governments. One reason for this was the fact that such recognition would prejudice the negotiations with Spain concerning the sale of Florida. Another was the feeling on the part of John Quincy Adams, Secretary of State, that the new Governments were very insecure and would be conquered as soon as the Quadruple Alliance could attend to them. By 1821, however, the situation had materially altered. The Florida question was settled, the House of Representatives had passed a resolution to support the President as soon as he saw his way clear to recognize the independence of the sister republics, Russia had issued a decree forbidding the vessels of any other nation to approach within one hundred

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miles of the western coast of North America above the fifty-first parallel of latitude, and finally, the Quadruple Alliance appeared ready to embark on a military programme for the subjugation of the former colonies of Spain. Actuated by these four motives President Monroe recognized the independence of the South American states on May 4, 1822, and Congress provided for the sending of accredited representatives to their capitals.¹

The threat on the part of the Quadruple Alliance to conquer the new states, with the probability that they would take part of the territory as payment for their effort, caused a great stir in the United States and Great Britain. The former feared new neighbours, and the latter did not care to lose the very lucrative trade that had sprung up with the newly born republics. Therefore George Canning, the British Prime Minister, suggested to the United States that a joint declaration be made to Europe to let the new states alone. Jefferson and Madison, whose advice was sought by Monroe, suggested that Monroe accept Canning's proposition. Adams favoured individual action, and it was upon his advice that Monroe incorporated in his annual message of December 2, 1823, the declaration of American principles with regard to the Western Hemisphere that was ever afterward to be known as the Monroe Doctrine.

The salient parts of the message to Congress are as follows : " The occasion has been judged proper for asserting as a principle, in which the rights and interests of the United States are involved, that the American continents, by the free and independent condition which they have assumed and maintained, are not to be considered as subjects for future colonization by any European Power. . . . It is only when our rights are invaded or seriously menaced, that we resent injuries or make preparation for our defense. With the movements in this hemisphere we are of necessity more immediately connected, and by causes which must be obvious to all enlightened and impartial observers. The political system of the allied Powers is essentially different in this respect from that of America. . . . We owe it, therefore, to candor and

¹ Muzzey, *American History*, p. 206.

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the amicable relations existing between the United States and those Powers to declare that we should consider any attempt on their part to extend their system to any portion of this hemisphere as dangerous to our peace and safety. With the existing colonies or dependencies of any European Power we have not interfered and shall not interfere. But with the Governments who have declared their independence and have maintained it, and whose independence we have, on great consideration and on just principles, acknowledged, we could not view any interposition for the purpose of oppressing them, or controlling in any other manner their destiny, by any European Power in any other light than as a manifestation of an unfriendly disposition toward the United States.”¹

In every way this dignified protest was effectual. The news caused an immediate rise in the funds of the revolted states in European markets; projects of European intervention were at once abandoned; and Great Britain followed the United States in recognizing the independence of the new countries. In 1824 Russia made a treaty agreeing to claim no territory south of $54^{\circ} 40'$, and not to disturb or restrain citizens of the United States in any part of the Pacific Ocean.

¹ Hart, *Formation of the Union*, p. 244.



ROUTE OF THE ERIE CANAL

CHAPTER II

DEVELOPMENT OF SECTIONAL INTERESTS

IN 1820 James Monroe was re-elected President of the United States, securing all the electoral votes with the exception of one, which was cast for Adams because the elector did not wish any other President than Washington to be elected unanimously. The period of Monroe's administrations is usually referred to in American histories as the 'Era of Good Feeling,' because everybody, north, south, east, and west, had dropped, apparently, their provincial and sectional interests in order to promote the cause of a virile nationalism. Despite this seeming tranquillity, there were arising new issues, new formations, and some of the most profound changes in the history of American evolution.¹

These changes were to be based largely upon the interests of the various sections that composed the American nation. As these various sectional interests developed one writer said that the United States was more like an empire than a homogeneous nation. Clay and Calhoun, as early as 1820, realized that the problem facing the future of the United States was to promote the interests of the individual sections of the country, while at the same time keeping general supervision over the nation as a whole. The election of 1824, one of the most momentous in the history of the Republic, had the question of national *versus* sectional interests as its main issue.

There were, in the decade following the declaration of the Monroe Doctrine, four well-defined divisions of the country, each with its own problems and leaders. These leaders of

¹ Turner, *Rise of the New West*.

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particular sections are often referred to as 'favourite sons.' The 'Era of Good Feeling' was broken up by the attempt, on the part of each section, to make its problems paramount to those of the country as a whole. These four divisions were New England, the Middle colonies, the South, and the West. New England was a section apart from the rest of the Union, geographically, industrially, spiritually, and socially. By 1820 its importance in the Union was rapidly declining and its population almost at a standstill. The small farmer class was rapidly leaving the comparatively unproductive lands of the North-east and migrating to the West, where land was fertile, plentiful, and cheap. The introduction of manufacturing as a rival of commercial activity tended to divide the section into two sharply defined classes, each with a different outlook on the problem of the nation as a whole. These two groups controlled the entire political power of the section, which was the last stronghold of the Federalists, and a formidable opponent of the gradual spread of democracy, which was to envelop the country and culminate in the election of Jackson in 1828. The tendency toward freedom in religion found its greatest obstacle in the unprogressive Congregationalism of New England. Conservative by nature for more than two centuries, it was only to be expected that the states of New England should look askance upon the democratic progress in other parts of the country. The two most prominent leaders of this section during the third decade of the nineteenth century were John Quincy Adams and Daniel Webster. The former was the son of John Adams, the second President of the United States, and was a very able statesman and diplomat. He had served at most of the embassies abroad, was in the Senate from 1803 until 1808, and during Monroe's two administrations had been a very capable and conscientious Secretary of State. He kept until his death all the rigorous and austere virtues of a strict New England Puritan, and as a result was greatly misunderstood by other more liberal sections of the country.¹ Daniel Webster, the son of a poor New Hampshire farmer, had worked his way through

¹ For the life of Adams see Morse, *John Quincy Adams*.

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Dartmouth College, where he took up the study of law. After removing to Massachusetts and practising law in Boston, he represented that state in the House of Representatives and the Senate, where he gained a well-deserved reputation as an orator and thinker. While recognizing the value of Puritanism, he himself did not always live up to its severe rules and regulations.¹

In the Middle states the industrial and mercantile interests were largely a counterpart of those of New England, although the religious prejudices and social inequalities of that region were not in evidence in the states of New York, New Jersey, and Pennsylvania. The three most prominent leaders in this section were Albert Gallatin, Rufus King, and De Witt Clinton. Gallatin, of Pennsylvania, had been Secretary of the Treasury under Jefferson and Madison, and was serving as minister to France when he came home to take part in the election of 1824.² Rufus King was a prominent member of the Senate from New York, and was a leader of the anti-slavery forces. He had been a candidate for President or Vice-President on the Federalist ticket on three different occasions.³ Governor De Witt Clinton was not particularly well known as a national figure, although he had made a great reputation for himself in connexion with the opening of the Erie Canal. Most of his political experience had been obtained in the local strife of New York state politics.⁴

In the South, during this period, was a well-defined section, whose wealth was based on agriculture rather than on manufacturing or commercial interests. Agriculture was mainly limited to the production of cotton, which was only practicable, according to the claims of most Southerners, by means of slave-labour. The invention of the cotton-gin, although a labour-saving device, greatly increased the demand for slaves, because it was now possible to cultivate productively the short-staple variety of cotton produced in the uplands of

¹ For the life of Webster see Lodge, *Daniel Webster*.

² For the life of Gallatin see Stevens, *Albert Gallatin*.

³ For the life of King see C. R. King, *Life and Correspondence*.

⁴ For a life of Clinton see Renwick, *De Witt Clinton*.

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the cotton states and in the interior. The increased production of cotton had a tremendous effect upon the prosperity and social structure of the South. The free farmers were compelled to migrate to the West in the face of the gradual march of the tidewater¹ planters to the uplands. Although this movement checked the growth of population, it resulted in the consolidation of the Southern states into one well-defined section, with interests diametrically opposed to those of the rest of the country. The vast increase in the production of cotton materially lowered the price of the product, and the migrations to the West threw a large quantity of land on the market, with the consequent decrease in the value of real estate. This brought about a severe depression, which the South erroneously laid at the doors of the high protective tariff, rather than of their clumsy, unscientific system of agriculture. The two most prominent leaders of the South were William H. Crawford and John C. Calhoun. The former had had a varied experience in public affairs. He had served with distinction in the Senate, in the diplomatic service, and in the Cabinet. He had nearly defeated Monroe for the Republican nomination in 1816, and was everywhere recognized as a very able statesman and politician. Calhoun, one of the 'war-hawks' in 1812, was one of the staunchest exponents of a strong central Government during the early parts of his career. Later he became the champion of the South and the states rights doctrines.² This change in view-point is very characteristic of the period under discussion.

By 1820 the West had become almost as well-defined a section as the three just discussed. It opposed a virile and growing democracy to the agricultural, mercantile, and manufacturing aristocracies of the South, the Middle region, and New England. Democracy in the real sense of the word was to be found everywhere in the West, in education, religion, opportunity, and society. A man's antecedents and knowledge counted for very little. In a world where necessity

¹ 'Tidewater' is the expression used to denote the coastal plain of the South. It extends from the ocean to the uplands or Piedmont regions.

² For the life of Calhoun see Von Holst, *John C. Calhoun*.

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compelled a man to be rough, hardy, and self-reliant the individual was judged by what he could do. Three leaders of national prominence lived in the West, although they had migrated there from the other side of the Alleghanies. Thomas H. Benton, a senator for thirty years from Missouri, was the out-and-out champion of westward expansion and everything that phrase stood for.¹ Henry Clay, a 'war-hawk' like Calhoun, was the most conspicuous figure in the development of the nationalist feeling during the War of 1812 and afterward. He was a natural leader of men, had a winning personality, and was the idol of his supporters. He was in the public eye from the time he entered Congress in 1811 until his death in 1852.² The third great leader of the West was Andrew Jackson, the hero of New Orleans and the Seminole wars. He had served in Congress prior to 1800, but left politics to take up a military career. Frontier life had thoroughly democratized him and had given him an unbounded faith in mankind. He and Clay were intense rivals.³

During Monroe's second administration the undercurrent of sectionalism ran very strongly, and plans were made by the various divisions of the country to capture the Presidency for one of these 'favourite sons' in the election of 1824. As the Presidential election year approached the field was narrowed down to five candidates, Adams, Jackson, Clay, Calhoun, and Crawford. All of them hoped to get a majority of the 'caucus' of their party representatives in Congress, which was the method used at that time for nominating the candidates for President and Vice-President. Crawford, who was undoubtedly the administration's candidate, controlled the 'caucus,' but all the others were nominated by state legislatures, an unheard-of method up to this time. Crawford and Calhoun were practically eliminated from the race in its early stages, the former by a stroke of paralysis and the latter by the loss of the support of Pennsylvania. The issues of

¹ For the life of Benton see Roosevelt, *Thomas H. Benton*.

² For the life of Clay see Schurz, *Henry Clay*.

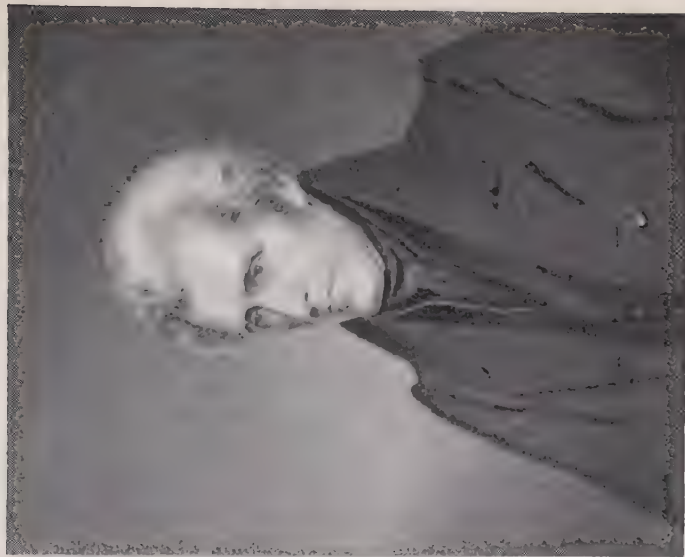
³ For the life of Jackson see Sumner, *Andrew Jackson*.



JOHN QUINCY ADAMS

President of the United States 1825-29

From a painting by A. B. Durand. Engraved by J. W. Paradise



ANDREW JACKSON

President of the United States 1829-37

Drawn from life and engraved by J. B. Longacre

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the campaign were purely personal and sectional. When the electoral votes were counted Jackson had 99, Adams 84, Crawford 41, and Clay 37. According to the Constitution the selection of the President devolved upon the House of Representatives, which was to vote by states upon the three highest candidates.¹ Clay, although automatically eliminated from the race, was in a very strong position, since the number of states he controlled were sufficient to elect either Jackson or Adams. Clay voted for Adams, who represented his views much more closely on many subjects than Jackson. Besides, as was mentioned above, Jackson was Clay's bitter rival for the political control of the West. The result was that Adams carried thirteen states, Jackson seven, and Crawford four. The followers of Jackson declared vehemently that the will of the people had been thwarted and that Adams had been elected as the result of a corrupt bargain between "a Puritan and a blackleg." Jackson resigned his seat in the Senate and spent the next four years in attacking Adams and his administration and in laying plans for the election of 1828. Although Adams appointed Clay Secretary of State, no evidence has ever been produced to substantiate Jackson's charge of a corrupt bargain.

The administration of Adams was a stormy one. The President, ever bound by the strict ties of Puritanism, refused to accept any questionable opportunities to entrench himself in the hearts of the people or to build up a political machine. He was continually attacked by his opponents, who were openly planning his defeat in 1828, and he received only lukewarm support from some members of his own party, because he absolutely refused to listen to their continuous appeals for patronage. The tenacity with which he clung to his 'American

¹ The Twelfth Amendment to the Constitution says: "The person having the greatest number of votes [electoral] for President, shall be the President, if such number be a majority of the whole number of electors appointed; and if no person have such majority, then from the persons having the highest numbers not exceeding three on the list of those voted for as President, the House of Representatives shall choose immediately, by ballot, the President. But in choosing the President, the votes shall be taken by States, the representation from each State having one vote."

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system'—that is, the advocacy of a strong central Government which was to foster internal improvements, etc.—was particularly objectionable to the masses of the people and their leaders, inasmuch as everything was then being viewed in the light of sectional interests.

The first organized opposition to Adams and Clay arose over the question of sending delegates to Panama to attend a Pan-American congress, called for the purpose of forming a league to oppose any external aggression. Adams sent the names of two delegates to the Senate on December 26, 1825. A long and acrimonious debate ensued, in which the Southerners took a predominant part, arguing that it would be detrimental to their interests and safety to have intercourse with peoples composed of free blacks, such as the natives of Haiti. The two delegates were finally ratified by the close vote of 24 to 19, but as subsequent events turned out they were too late to participate in the Pan-American deliberations.

Another evidence of the strong sectional feeling in the United States was the defiance of the national Government by the state of Georgia. The presence of Creek and Seminole Indians within the territorial limits of that state had been a continual hindrance to its growth. A treaty had been negotiated with them during Monroe's administration which provided for their removal by 1826. This treaty was repudiated by the Indian nations on the ground that it was not properly sanctioned by them. Nevertheless the governor of Georgia began a survey of the Indian territory. The Indians appealed to Adams, and Clay negotiated a treaty with them providing for their removal by 1827. The governor continued his survey in opposition to the direct orders of the administration, and wrote to the Secretary of War: "From the first decisive act of hostility you will be considered and treated as a public enemy." Adams submitted the entire question to Congress, where he failed to gain the support of the Senate. The direct issue of the coercion of a state was avoided by the extinguishment of the Indian titles in November 1827.

These examples—the Panama fiasco, the failure of the policy of internal improvements, and the successful defiance

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of the Government by the state of Georgia—show how rapidly sectional interests were replacing the national enthusiasm of the two previous administrations.¹ But the most striking example of all was the quarrel over the tariff. The greatest opposition to the Tariffs of 1824 and 1828 (see *supra*) came from the South and the commercial interests of the North, while its protagonists came largely from the manufacturing interests of the North and North-east. The South, after the War of 1812, devoted its entire energy to the production of cotton, and as a consequence depended for all its manufactured articles on outside sources. The price of cotton was gradually falling owing to the great increase in production, while at the same time the price of manufactured articles was increasing owing to the protective tariff. The South, as a result of this economic pressure, denied the right of Congress to levy a protective tariff, since the Constitution provided that all taxes should be uniform throughout the United States and should not bear more heavily on one section than on another. They also felt that the ever-increasing population of the North presaged the passage of still higher protective rates. This fear was realized by the Tariff of 1828. It was received in the South with mingled feelings of resentment and revolt. The spirit of the South was ably summed up by Calhoun in his *Exposition and Protest*, published in the summer of 1828. In this Calhoun maintained, first, that the Tariff Act of 1828 was unconstitutional, since Congress had the power to lay taxes only for a revenue; secondly, that the Act was sectional, since by it the South, which had but one-third of the votes in the house, paid over two-thirds of the customs duties; and, thirdly, that as the United States Government was an agreement or compact between the states the national Government created by that compact could not be superior to the states in sovereignty and could not be itself the judge of what its proper powers were. The states, which had bestowed on Congress its powers, were the ultimate judges of whether or not Congress was overstepping those powers. And hence at any time a state might challenge an act of Congress

¹ Muzzey, *American History*.

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and appeal to its sister states for the verdict. Congress must then secure the votes of three-fourths of the states in ratification of an amendment giving it the expressed power in dispute.¹

While the feeling over the tariff question ran high the election of 1828 was held, and Jackson was overwhelmingly elected over Adams by an electoral vote of 178 to 83. The result was the defeat of one of the most conscientious of Presidents because he could not withstand the tide of popular government then running strong, a movement much like that which carried his father and the Federalist party to destruction in 1800.²

The election of Jackson checked for the moment any radical move on the part of the South. They looked to Jackson to reverse the entire protectionist programme of their hated enemies, the commercial interests of the North.

¹ Muzzey, *American History*, p. 224.

² Bassett, *A Short History of the United States*.

CHAPTER III

DEMOCRACY IN POWER: THE 'REIGN' OF ANDREW JACKSON

JACKSON'S election in 1828 caused a wild burst of democratic fervour throughout the entire nation. On inauguration day stately old Washington was visited "by immense crowds of all sorts of people, from the highest and most polished down to the most vulgar and gross in the nation. . . . The reign of King Mob seemed triumphant." In his inaugural address Jackson laid down his principles in rather vague terms. He stated that he would continually bear in mind the limits and extent of the executive power in its relation to the legislative, and the powers of the Federal Government in its relation to the several states. He promised economy, no further increase in the army, a just and liberal policy toward the Indians, and the fostering of the tariff and internal improvements as far as was consistent with constitutional limitations. Undoubtedly he was vague on the two last-mentioned problems in order to attempt to pacify the various sectional interests. The one thing on which he was brutally decisive was the question of the civil service, which he evidently determined to shake up thoroughly. "The recent demonstration of public sentiment inscribes on the list of executive duties, in characters too legible to be overlooked, the task of reform, which will require particularly the correction of those abuses that have brought the patronage of the federal government into conflict with the freedom of elections, and the counteraction of those causes which have disturbed the rightful course of appointment, and have placed, or continued, power in unfaithful or incompetent hands."

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Jackson's Cabinet, with the exception of Martin Van Buren, who was named Secretary of State, was composed of second-rate Jackson or Calhoun (the Vice-President) men. Jackson surrounded himself with a group of advisers on whom he depended much more than on his regular Cabinet, with the exception of Van Buren. These men are usually referred to as the 'Kitchen Cabinet.' It was largely through the 'Kitchen Cabinet,' and it was particularly through Amos Kendall, a member of it, that Jackson formed and directed and expressed popular thought, and organized the support which not only gave him a second term as President and sustained his vigorous treatment of nullification and the Bank, but also made him that most dangerous influence in democracy, a popular idol.¹

Jackson's treatment of the civil service question gave rise to a new phrase in American history, the 'spoils system.' In March 1829 a general proscription of office-holders began. Age, length of service, satisfactory performance of duties, or financial dependence were no protection. Men who had grown old in the Government service were dismissed at a moment's notice, and without remedy. Clerks whose living depended on their official salaries, and who had been rendered unfit, by reason of long State employment, for other occupations equally remunerative, were beggared. In most cases no reason for a removal was given, save that some one else wanted the place. Nor was the fitness of the candidate always considered, the chief test being loyalty to Jackson. All the executive departments were affected, as well as the post-offices, custom-houses, and other agencies throughout the country; and as the removal of the head of an office frequently carried with it numerous changes among subordinates, the reform became far-reaching. "Jackson was not in any sense the originator of the spoils system, but the responsibility of transplanting it from the states to the broader and more fertile field of national politics must rest with him and his advisors." ²

¹ McDonald, *Jacksonian Democracy*.

² *Ibid.*

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THE WEBSTER-HAYNE DEBATE

The two most important issues of Jackson's administrations were the questions of the tariff and nullification and the renewal of the charter of the United States Bank. As these two issues were intimately connected with the question of state sovereignty *versus* a strong national Government, it would be well to pause for a moment on the great debate between Senator Hayne of South Carolina and Senator Webster of Massachusetts on the nature of the Federal Constitution. The debate originally arose over a discussion of a future policy of administering the sale of public lands in the West. Senator Hayne of South Carolina declared this to be a sectional and selfish attempt on the part of New England and the North to stop migration to the West. He accused these sections of having control of Congress and of having set up an economic tyranny based on the interests of the manufacturing classes. He argued that the original theory of the Constitution was a compact of free republics, and that the only way to realize this theory was to resist the Northern sections of the country by the doctrine of nullification so ably set forth by Calhoun in his *Exposition and Protest* (see *supra*).

Webster replied to Hayne in the greatest oratorical effort ever delivered in the halls of Congress. He denied the compact theory, stating that the Union was the people's Union, "made for the people, made by the people, answerable to the people." If the individual states had the right to declare a law of Congress null and void the Union would be a "rope of sand"; what was law in one state would be no law in another. Not the states, but the Supreme Court was the final arbiter of the question whether Congress had exceeded its powers or not. In his peroration he said that for himself there should be "no cool weighing of the chances of preserving liberty, when the bonds that unite us together shall be broken asunder"; no accustomed hanging over "the precipice of disunion" in the effort "to fathom the depths of the abyss below"; no reliance upon counsellors "whose thoughts should be bent on considering not how the Union should be

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best preserved, but how tolerable might be the condition of the people when it shall be broken up and destroyed." That for which he lived should be "liberty and union, now and forever, one and inseparable."¹ Shortly after this great debate Jackson shocked the Southerners by giving a toast at a birthday dinner in honour of Jefferson, "Our Federal Union! It must be preserved." Calhoun, the Southern champion, attempted to nullify the effect of this by giving as his toast, "The Union, next to our liberty, most dear! May we all remember that it can only be preserved by respecting the rights of the states and distributing equally the benefits and burthen of the Union." These toasts were of tremendous significance. They showed the trend of events in the South, as well as showing that the President did not plan to follow in the wake of those events.

THE TARIFF AND NULLIFICATION

A close inspection of Jackson's messages to Congress during his first administration shows an attempt on his part to avoid the direct issue of protection and to "keep in with the protectionists of the North and the anti-protectionists of the South." His signing of the Tariff Bill of 1832, which, while it abolished some of the abominations of the Tariff of 1828, was still protective, convinced the Southerners that no hope of tariff reduction was to be expected from that quarter. A convention held in South Carolina in November 1832 declared that the Tariff Acts of 1828 and 1832 were "null, void, and no law, nor binding upon this state, its offices, or citizens." No duties were to be paid after February 1, 1833. The ordinance of nullification further stated that any attempt on the part of the Federal Government to enforce these Tariff Acts would be followed by the severance of the state of South Carolina from the Federal Union and the formation of a separate state Government. Jackson answered this proclamation with one of his own on December 11, in which he argued in no uncertain tones against the practical difficulties of nullification, and denounced it as

¹ McDonald, *Jacksonian Democracy*.

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"incompatible with the existence of the Union, contradicted expressly by the letter of the Constitution, unauthorized by its spirit, inconsistent with every principle on which it was founded, and destructive of the great object for which it was formed." "The laws of the United States must be executed. I have no discretionary power on the subject—my duty is emphatically pronounced in the Constitution. Those who told you that you might peacefully prevent their execution deceived you. . . . Their object is disunion, and disunion by armed force is treason." To the collector of the port of Charleston he wrote: "I will have 40,000 men in the state of South Carolina to put down resistance and enforce the law, if force should become necessary."

On January 21, 1833, a 'Force Bill' was introduced in the Senate for the purpose of collecting the revenue. While the Force Bill was before the Senate, Henry Clay, 'the Pacificator,' introduced a Compromise Tariff Bill which provided for the gradual reduction of the import duties until, in 1842, they should reach the level of those of 1816 (about 20 per cent.). The Bill was passed by Congress and signed by the President on March 2, 1833, almost simultaneously with the Force Bill. South Carolina accepted Clay's compromise tariff and by an almost unanimous vote rescinded the ordinance of nullification. North and South claimed a victory, the former because the Union had been preserved and the latter because the tariff had been reduced. Although the question of nullification was settled, the settlement in no wise ameliorated the growing hatred between the two sections.

THE WAR ON THE UNITED STATES BANK

The failure to recharter the first Bank of the United States in 1811 caused severe financial difficulties during the War of 1812. In order to restore the shattered financial system of the country a second Bank was chartered on April 10, 1816, to run for a period of twenty years. The Bank had rather a stormy time in the beginning, partly because of the chaotic condition of the Republic due to the war, but chiefly because of the bad management of the Bank itself. In the

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South and West the people were bitterly opposed to the institution. They claimed that such a huge monopolistic octopus could wield a tremendous power, by giving financial aid to its political protagonists and by withholding assistance from its opponents. They also believed that the chartering of such a huge corporation was contrary to the principles of a democratic form of government. It is undoubtedly true that, had it not been for decisions of the Supreme Court in the *McCulloch v. Maryland* case (see *supra*) and similar cases, the Bank would have been taxed out of existence in all of the Southern and Western states. In 1819 Langdon Cheves became president of the institution and put the Bank on a sound financial basis by conservative and constructive banking methods. His policies were taken over and strengthened by Nicholas Biddle, who succeeded him as president in 1823. Under his leadership the Bank became a prosperous and powerful organization.

Jackson, when he was elected President, was a bitter opponent of the Bank. He firmly believed that the resources of the Bank were being used to defeat him in the election of 1828. In his first annual message to Congress (December 1829), Jackson stated that "both the constitutionality and the expediency of the law creating this bank are well questioned by a large portion of our fellow citizens; and it must be admitted by all, that it has failed in the great end of establishing a uniform and sound currency." He asked whether, if a Bank were necessary, "a national one, founded upon the credit of the government and its revenues, might not be devised, which would avoid all constitutional difficulties, and, at the same time, secure all the advantages to the government and country that were expected to result from the present bank."¹ This opinion of the Bank was not the opinion of a majority of Congress or of the President's Cabinet. The committee in the House and Senate which considered this section of the President's message reported in favour of both the constitutionality and expediency of the Bank. This report was circulated broadcast by that institu-

¹ Richardson, *Messages and Papers of the Presidents*.

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tion. In Jackson's second annual message (December 1830) Jackson again attacked the Bank, but failed to gain the support of Congress. In his third annual message Jackson stated that his position with regard to the Bank remained unchanged. Biddle, becoming alarmed at this continual coldness to the Bank, determined to apply for a recharter at once, particularly in view of the favourable attitude Congress took toward his organization. A Bill to recharter the Bank passed the Senate on June 11, 1832, and the House on July 3. Jackson's expected veto was received on July 10. His reasoning in his message has been characterized as beneath contempt. His economic arguments against the recharter were as absurdly weak as his constitutional argument was peculiar. With regard to the latter he said: "The opinion of the judges has no more authority over Congress than the opinion of Congress has over the judges, and on that point the President is independent of both." Although the veto met with opposition in Congress, the supporters of the Bank could not get the necessary two-thirds vote to pass it over Jackson's head.

Clay, who was a staunch supporter of the Bank, and who had urged Biddle to apply for the recharter in 1832, determined to make the Bank the chief issue of the election of 1832, in which he ran against Jackson. He was overwhelmingly defeated by an electoral vote of 49 to 219. Jackson interpreted his re-election to mean that the great mass of the people supported his stand against the Bank. A vote of confidence in the Bank by Congress seemed to spur him on in his determination to destroy it. He seized upon the provision of the Bank's charter which permitted the Secretary of the Treasury to remove Government deposits from the institution, provided he gave the reason to Congress for so doing. Jackson removed two secretaries from the Treasury post because they opposed the removal of deposits. Roger Taney, of Maryland, was appointed to the position, and issued an order that after October 1, 1833, all deposits of the United States Government were to be made in certain state banks, inasmuch as the United States Bank was to be no longer used as a depository. The money already in the

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Bank was not immediately withdrawn, but was drawn upon in the ordinary course of paying the Government's debts. The state banks in which the Government deposits were now made were commonly called throughout the country 'pet' banks.

This occurred during a recess of Congress. When the Senate met it passed a resolution to the effect that Taney's reason for removing the deposits from the United States Bank was unsatisfactory and insufficient, and that the President "has assumed upon himself authority and power not conferred by the constitution and laws, but in derogation of both." Jackson entered a formal protest against this unwarranted censure on April 15, 1834. It was not until January 16, 1837, that the resolution of censure was expunged from the records of the Senate. The United States Bank, now a thoroughly unpopular institution, quietly wound up its affairs and went out of business when its charter expired.

Had the conditions of the country been normal the passing of the Bank would probably have been scarcely noticed in financial and business circles. However, the cessation of its strong and conservative influence came at a critical moment in industrial development. Speculation was rife. The people were over-confident. The foreign trade was large, and the surplus in the Treasury which resulted from it was increasing every year. The introduction of railroads caused individual corporations and states to borrow and invest huge sums of money in this new method of transportation, which was to put the old methods out of business. 'Wildcat' banks sprang up in the West overnight and offered a means of securing huge quantities of 'easy' money on a nominal amount of security. The banks secured this 'easy' money from the printing-presses, issuing much greater quantities than the business needs of the country or their specie warranted. The old mercantilist theory seemed to revive—*i.e.*, the more money in the country the greater its wealth. Speculation was particularly prevalent in Western public lands. The increase in the means of transportation gave a tremendous impulse to the economic development of the

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West. In 1834 the receipts from the sale of public lands were \$4,857,000, in 1835 \$14,757,000, and in 1836 \$24,877,000. Most of the public lands were paid for in the depreciated and practically worthless paper money of the Western banks of the 'wildcat' variety. The alarming increase in this type of currency in the Treasury of the United States caused President Jackson to issue his famous 'specie circular' of July 11, 1836, which forbade the further receipt of anything except gold or silver in payment for public lands after August 15.

This circular was the immediate cause of the panic of 1837. The 'wildcat' banks were unable to meet the demands for specie made upon them. Speculation practically ceased, as did almost all forms of building operations, particularly railroads. Factories shut down, and thousands of labourers were thrown out of work. Poor crops added to the misery and suffering. Foreign trade fell off. More than six hundred banks failed during the crisis. Instead of a surplus in the Treasury there was a deficit of more than \$10,000,000. The period of depression lasted throughout the entire administration of Van Buren. The failure of the 'pet' banks led to the adoption in 1840 of an independent Treasury system by the Government, by means of which the Government kept its revenues in vaults of its own, located at certain designated cities.

A NEW PARTY

The Jacksonian period was one of great industrial and economic progress. The McCormick reaper, the use of anthracite coal for iron-smelting, the use of the screw-propeller for ocean steamships, and the use of the steam-engine on railroads, all belong to this era. In 1830, when the railroad first appeared, there were only twenty-three miles of tracks, but ten years later there were almost 2300. This had a tremendous effect on economic development. The producer was brought much closer to the consumer, thereby making possible the rapid growth of cities, which usually sprang up at the terminus of a railroad or somewhere

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along the right of way. Huge sums of money were centred in the cities, and factory life, which had become so common in England as a result of the Industrial Revolution, developed in the United States. This naturally led to the inevitable struggle between capital and labour. A labour party held a national convention in 1833 and demanded shorter hours, more pay, and better working conditions. Trade unions came into existence about this time. Spasmodic strikes were held to enforce the demands of labour, and the labour organizations appealed to the state legislatures for relief and reform in the existing industrial relations. It was at the same time that wide-reaching reforms were being made in England, such as the poor laws, penal laws, factory laws, and labour laws.

Social and industrial reforms were accompanied by political reforms. The old religious and property qualifications of the franchise were gradually being abolished and were being superseded by the democratic ideal of universal manhood suffrage. It is interesting to note that in 1788 only one out of seven male adults had the right to vote. The political institutions of the country were thoroughly democratized. One evil accompanying this democratization was the 'spoils system,' which has been described above. Another feature of the democratic revolution was the development of the national nominating convention to determine the candidates for the Presidency. This method of nomination, first used in the election of 1832, has been used in every election since that time.

The two most important events of Jackson's administration were nullification in South Carolina and his attack on and overthrow of the second United States Bank. It was only natural that these two issues should make enemies for him. His enemies gathered round Clay and formed the new Whig party, which was essentially an anti-Jackson party, although it stood for a National Bank, a high tariff, and internal improvements. The Whigs were not strong enough to carry the election of 1836, which went to Jackson's candidate, Martin Van Buren. Van Buren's administration

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was very uneventful, but under his leadership the Democratic party disintegrated, many of Jackson's supporters finding themselves unable to follow the 'aristocratic widower' of New York.

The election of 1840 has often been referred to as the second democratic revolution. Van Buren easily obtained the nomination of his party, and ran on a platform largely following the principles of Jackson. The Whigs considered Clay an unavailable candidate, and nominated General William Henry Harrison of Tippecanoe fame for the Presidency and John Tyler, of Virginia, for the Vice-Presidency. No platform was adopted, because there were so many component parts to the party that it would have been impossible to adopt principles suitable to all the constituents. The nearest thing to a platform was the two slogans, "Down with Van Buren!" and "Tippecanoe and Tyler Too!" As the result of a campaign rife with popular demonstrations Harrison and the Whigs swept the country. The electoral vote was 234 to 60. One month after his inauguration on March 4, 1841, Harrison succumbed to an attack of pneumonia, and was succeeded by Tyler. Harrison's election marks the close of the Jacksonian era. It also marks the development of the interests of the North and South into a distinctly hostile conflict, because from 1840 until 1860 not a national election was held which did not have the question of slavery as the main issue. The struggles over the Bank, the tariff, public lands, and internal improvements pale into insignificance when compared with the mighty conflict over the slavery question, which culminated in the fratricidal Civil War.

BOOK IV

THE SLAVERY QUESTION

1840-54

CHAPTER I

THE EARLY STAGES OF THE SLAVERY QUESTION

THE institution of slavery, which led to the Civil War, was first introduced into the United States when a Dutch trading vessel landed at Jamestown in 1619, with twenty slaves from the West Indies among its cargo. The importation of slaves gradually increased until there were about 25,000 in the New Country in 1700. Most of these were employed in the huge rice and tobacco plantations of the South, while the rest were scattered throughout the Middle and New England colonies, where they were utilized chiefly as domestic servants. Many of the royal and noble families of Great Britain were financially interested in the slave-trade, and consequently blocked every effort of the colonists to keep the negro from bondage. The bringing of negroes from Africa to the West Indies or America was one part of the famous three-cornered trade of the seventeenth and eighteenth centuries. Rum, manufactured in New England, was taken to Africa, and there used as a means of getting negroes, either by drunkenness or payment to a negro chief. The negroes were then taken to the West Indies, where they were sold for sugar and molasses, which in turn were taken to New England to be manufactured into rum. Thus was the three-cornered trade completed. The tortures suffered by the barbaric Africans were almost unbearable. They were packed uncomfortably close together in the hot, stuffy holds of the slave-ships, and were chained

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in place. Once a day, perhaps, water would be thrown over the slave-deck to wash away the accumulated dirt and slime. The slaves were given just enough to eat to keep body and soul together throughout the voyage, which sometimes lasted three months. These inhuman horrors were often protested against by the colonial legislatures, and laws were passed in some cases to remedy the evils, but they were invariably vetoed by the English king, largely because they tended to interfere with a lucrative source of income.

BEGINNINGS OF EMANCIPATION

As the South developed its huge agricultural plantations and the North its commercial and manufacturing interests, it was only natural that the negro slave should gradually settle south of Mason and Dixon's line, where the climate and nature of the work better suited him. However, in 1776 slavery existed in all the colonies, although a great number of people wished to restrict its expansion. Even some of the plantation-owners in the South, men like Washington, Randolph, Jefferson, and Madison, deplored the existence of the institution and wished to see it abolished in the states and territories of the Union. The mass of the Southern plantation-owners looked at the problem from the point of view of what would be done with the great number of slaves who would thus become freemen. To leave them in the colonies would mean an ever-present danger of a racial war, and to transport them back to Africa was too expensive to be seriously entertained. In the North, where slaves were comparatively few in number and economically unprofitable, emancipation was quite general before 1800. In 1777 Vermont inserted a provision in her constitution abolishing slavery. Massachusetts did the same in 1783, and New Hampshire in the following year. In the other Northern states, with the exception of Delaware, which retained slavery down to the close of the Civil War, the institution was abolished by gradual emancipation laws, in 1780 in Pennsylvania, in 1784 in Connecticut and Rhode Island, in 1799 in New York, and in 1804 in New Jersey.

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When the constitutional convention was in session attempts were made to abolish slavery in the new republic, but the South was sufficiently strong to force its recognition in the new Constitution. The three-fifths compromise provided that five negroes were to be counted as three whites for purposes of representation in Congress and for taxation.¹ Congress was also prohibited from stopping the slave-trade for a period of twenty years,² and a provision was made for the return of fugitive slaves.³

Almost from the time the Constitution went into effect there was a group of anti-slavery people in the North who were agitating to have the system abolished. Despite their activities, Congress took no action. The right of petition was continually resorted to, to bring the abolition movement before that body. The first petition was denied in 1790 on the ground that slavery was a subject for state rather than for national legislation. A Fugitive Slave Act was passed in 1793, which provided for the return of a runaway slave without the formalities of a jury trial. Kentucky in 1792, Tennessee in 1796, and Louisiana in 1812 were all admitted into the Union as states with the institution of slavery recognized in their constitutions. When the Mississippi River basin was purchased from France in 1803 a provision was inserted in the treaty to the effect that slavery was not to be interfered with wherever it existed at the time of the purchase. The only check to the extension of slavery was the passage of an Act in 1807, which provided for the prohibition of the slave-trade after January 1, 1808. In 1793 the invention of the cotton-gin by Eli Whitney, a New England schoolmaster, gave a great impetus to the spread of slavery (see *supra*). This invention, which enabled one slave to clean three hundred pounds of cotton per day instead of one as heretofore, made cotton 'king' in the South, and the Southerners felt that their future, politically, economically, and socially, was closely interwoven with the slavery system.

¹ Article I, Section 2.

² Article I, Section 9.

³ Article IV, Section 2.

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THE MISSOURI COMPROMISE

The first great struggle of national importance over the question of slavery occurred in 1819 and 1820, when Missouri applied for statehood in the Union with slavery. Missouri was created a territory in 1812, at which time she had a population of about 29,000. After the War of 1812, and during the second great westward migration, a flood of immigrants poured into her confines, largely from the slave-holding sections of the South, with the result that when she applied for admission to the Union she had a population of almost 70,000.

Missouri first applied for admission as a slave-state in 1818. Nothing was done at that time by Congress, so a second application was made in February 1819. The very day it was introduced, Tallmadge, of New York, proposed an amendment to the Admission Bill, to the effect that the further introduction of slavery be prohibited and that all children born in the state after admission should be free at the age of twenty-five years.¹ A bitter debate ensued in which Henry Clay was the leader of the opponents of restriction, and Tallmadge and Taylor of New York the leaders of those who favoured the amendment. The latter attacked the entire system of slavery, which caused Cobb of Georgia to remark, "You have kindled a fire which all the waters of the ocean cannot put out, which seas of blood can only extinguish." The first part of the Tallmadge amendment was adopted in the House by a vote of 82 to 76, and the second part by a vote of 82 to 78. In the Senate the amendment was lost by a vote of 22 to 16. The second session of the fifteenth Congress adjourned without definitely settling the status of Missouri.

During the summer the question of slavery in Missouri was discussed throughout the entire country. This discussion proved beyond the shadow of a doubt that slavery was a sectional issue. The legislatures of nearly all the Northern states passed resolutions against the extension of

¹ *Annals of Congress*, Fifteenth Congress, Second Session, I, 1170.

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slavery into the territories and the admission of new slave-states. The Northerners feared the growth of Western power under Southern leadership. They felt that if such a union was to be prevented the time to prevent it was now. Missouri was the first state entirely west of the Mississippi River to apply for admission. If it should come in as a slave-state a precedent would be established which would be hard to overcome when other states west of the Mississippi applied for statehood. Many of them also felt that negro slavery was a stain on the civilization of the Republic. In the South the leaders desired to bring about just such a union as the Northerners feared. They themselves believed that if slavery were to be forbidden in the territories and the states made therefrom, a combination of free states would be formed, which would attempt to abolish slavery or at least repeal the three-fifths representation clause in the Constitution. The Southerners vehemently rejected the claim that slavery was a stain on the civilization of the country, stating that the position of the negro would be much worse if he were free and had to shift for himself. Both the North and the South realized the importance of the admission of Missouri in connexion with the so-called balance of power. At this time there were twenty-two states in the Union, of which eleven had slavery and eleven had not. This meant that the representation of the slave and free states was equal in the Senate, twenty-two members each. If Missouri came in as a free state the Northerners would have the balance of power, if as a slave-state the Southerners would have the balance of power. During the summer of 1819 the North and South crystallized into two well-defined sections, and leading politicians and statesmen realized that the only way the question could be settled was by a compromise.

The constitutional aspects of the Tallmadge amendment gave rise to several debates when Congress met again. Rufus King, senator from New York, was the leader of those who claimed that the amendment was constitutional. He argued that Congress was given power to pass all needful rules and

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regulations concerning a territory of the United States. Congress was authorized but not required to admit new states to the Union, and since there was nothing to the contrary in the Constitution Congress could make the perpetual prohibition of slavery a condition of admission, as was done in the case of Ohio, Indiana, and Illinois.¹

The opponents of the constitutionality of the measure maintained that Ohio, Indiana, and Illinois could have justly and legally insisted that they themselves be permitted to determine their own domestic institutions once they were admitted to statehood. If Congress had the power to determine on what conditions a state should come into the Union it could make subordinate divisions of all new states and arbitrarily subject them to its will. The Union would then be an agreement between an omnipotent Congress on one hand and subservient states on the other. The spirit of the Constitution intended that the new states should have the same privileges and immunities as the thirteen original states. The Southerners added to their constitutional arguments the question whether, if the Northerners were anxious to restrict slavery, it would not be better to spread out the evil and by diffusion lighten the 'black cloud.' Many Southerners, however, frankly stated that they realized that if slavery did not grow it must die.

When the sixteenth Congress met in December 1819 it was flooded with petitions for or against the Tallmadge amendment. One of the first measures to come before the House was the admission of Maine as a free state. Massachusetts had given Maine permission to apply for statehood in accordance with Article IV, Section 3, of the Federal Constitution. The House passed the Bill, and when it went to the Senate it was combined with a Bill admitting Missouri without restrictions as to slavery. This passed the Senate by a vote of 23 to 21. Senator Thomas of Illinois proposed a compromise amendment which provided for the admission of Missouri as a slave-state and for the prohibition of slavery for ever north of 36° 30' in the rest of the Louisiana

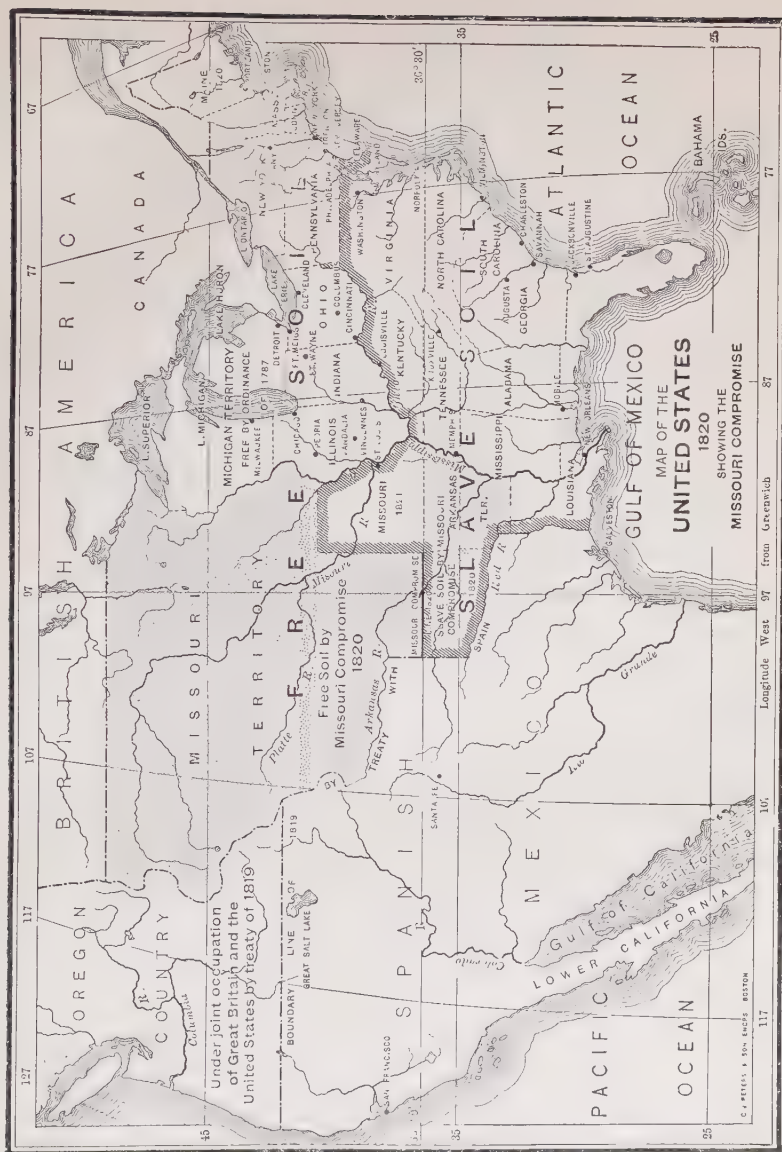
¹ Turner, *Rise of the New West*, p. 158.

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purchase. This amendment passed the Senate by a vote of 34 to 10. When presented to the House it was adopted after some hesitancy by the close vote of 90 to 87. The North and North-east cast 15 votes for the measure and 79 against. The North-west cast all its 8 votes against it, and the South and South-west voted solidly for the compromise. The Northern vote for the measure carried it through. Its vote was influenced by various factors, some feeling that Maine would not be admitted, others that restrictions were unconstitutional, while several thought that the future of the Democratic party was menaced by the growing spirit of sectionalism. It was doubtful for some time whether Monroe would sign the compromise measure or not. He finally signed the Bill on March 6, 1820, after receiving the assurances of his entire Cabinet that he was within his constitutional rights. The constitution adopted by Missouri contained a provision denying admission of free negroes into the state. This reopened the entire question, and a bitter debate followed. Clay, 'the Pacificator,' engineered a new compromise, by which the legislature of Missouri agreed that nothing in the state constitution should be so construed as to exclude citizens of any of the states of the Union from the enjoyment of any of the privileges and immunities to which such citizens are entitled under the Constitution of the United States. This controversy delayed the admission of Missouri until August 1821, almost three years after her original application for statehood.

Although the question was settled, far-seeing statesmen realized that it was only the beginning and not the end of a struggle which was to divide the Union into two hostile camps. Jefferson wrote concerning it, "This momentous question, like a fire bell in the night, awakened and filled me with terror. I considered it at once the knell of the Union. It is hushed, indeed, for the moment. But this is a reprieve only, not a final sentence. A geographical line, coinciding with a marked principle, moral and political, once conceived and held up to the angry passions of men, will never be obliterated; and every new irritation will mark it deeper

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GULF OF MEXICO
MAP OF THE
UNITED STATES
1820
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and deeper.”¹ Adams believed that the Missouri Compromise was only a “title page to a great tragic volume,” and that if the Union was to be dissolved, then “the Union might be reorganized on the fundamental principle of emancipation.” Calhoun told Adams that the South would form an offensive and defensive alliance with Great Britain if disunion came about. During the next fifteen years, however, the slavery question remained dormant, and did not flare up again until the addition of new territory (Texas) brought up the question of the extension of slavery. During this period the various sections of the country were struggling over the issues raised by the Bank, the tariff, internal improvements, domestic expansion, etc.

THE ABOLITIONISTS

As has already been mentioned, small groups of serious-minded men had been continually agitating to eliminate the system of slavery from the United States. The earliest leader of this movement was Benjamin Lundy, a New Jersey Quaker, who started a paper called *The Genius of Universal Emancipation* in order to promote his scheme. He travelled all over the Union, speaking for gradual emancipation and attempting to win over the slave-holders themselves. He spent fifteen years of his life fighting for this cause without any great degree of success. He advocated the formation of a colony for emancipated slaves on the island of Haiti. While he was striving to spread his gospel everywhere, the American Colonization Society was founded in 1816. Backed by many men holding prominent positions, the society hoped that the Southerners would gradually emancipate their slaves if they could send them back to Africa, from whence they came. Liberia was purchased by the American Government to aid this organization in carrying out its work. The scheme failed. Fewer than eleven thousand negroes were sent to Liberia between 1820 and 1860. The Southerners, while not hostile to the scheme, felt that with the increased production of cotton the system of slavery had become a permanent

¹ Jefferson, *Writings*.

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feature of Southern economic life. The Missouri Compromise killed further attempts toward emancipation in the South, because the Southerners felt that their honour and morality had been attacked, and consequently anyone in the South who opposed slavery was considered a traitor to that section.

After 1830 the Anti-slavery or Abolition movement, as the radical element of it was called, received a new impetus and new blood in the person of William Lloyd Garrison, a poor young man who had been employed by Lundy in the office of *The Genius of Universal Emancipation*. Because his opinions on the slavery question were too radical for Lundy they dissolved their partnership, and Garrison began to publish his own paper, called *The Liberator*. His position may be learned from the following statements appearing in the first issue of *The Liberator*: "I shall contend for the immediate enfranchisement of our slave population. I will be as harsh as truth and as uncompromising as justice on this subject. . . . I do not wish to think or speak or write with moderation. . . . I am in earnest. . . . I will not equivocate—I will not retreat a single inch, and I *will be heard*. The apathy of the people is enough to make every statue leap from its pedestal, and to hasten the resurrection of the dead." As a result of his earnestness and endeavour thousands of anti-slavery men and women were organized to fight slavery in every possible manner.¹ The New England Anti-slavery Society was formed in 1832, and the American Anti-slavery Society a year later. By 1840 more than 200,000 members were enrolled in local organizations. An unfortunate occurrence happened the first year that Garrison's paper was published. Under the leadership of Nat Turner, a fanatical negro preacher, more than sixty whites, mostly women and children, were killed in a negro uprising in Virginia. The Southerners blamed the preachings of *The Liberator* for this insurrection and demanded

¹ James Russell Lowell, in his poem "To William Lloyd Garrison," wrote:

"In a small chamber, friendless and unseen,
Toiled o'er his types one poor, unlearned young man;
The place was dark, unfurnished, and mean;—
Yet there the freedom of a race began."

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that the Northern states take steps to prevent such propaganda in the Press and from the platform. In the South the only result of the insurrection was the passage of stricter laws against the negroes. Many Northerners resented the abolition programme of Garrison. Many of his meetings were forcibly broken up, and he himself was dragged through the streets of Boston and tarred and feathered on Boston Common. The lot of the Northern negro was made much harder by the continual agitation on the part of the reformers. Charles Sumner of Massachusetts said that "an omnibus-load of Boston Abolitionists had done more harm to the anti-slavery cause than all its enemies." The majority of the men and women in the North were anti-slavery supporters, but not Abolitionists, the former believing in the settlement of the question by orderly constitutional procedure, the latter by any available means. Garrison termed the Constitution, which recognized slavery, "a covenant with death and an agreement with hell." His motto was "No union with slaveholders."

The cause of the Abolitionists was greatly strengthened by the attitude of the national Government toward them. When their literature began to be mailed to the Southern states in great quantities the Southerners became infuriated, and on one occasion (1835) burned a great mass of it at Charleston, South Carolina, before it was delivered. The Postmaster-General, who was appealed to to deny the use of the mails to such literature, stated that the matter must be accepted by postmasters for mailing, but need not be delivered by the post-office to which it was addressed. A few months later the constitutional right of petition for the redress of grievances, which is guaranteed by the first amendment to the Federal Constitution, was denied to the Abolitionists. The various petitions for the abolition of slavery that had been sent to Congress from about 1833 on roused the ire of the pro-slavery men in Congress. The result was the passage of the 'Gag Rule' of May 1836, which provided "That all petitions . . . relating in any way to the subject of slavery or the abolition of slavery, shall without being either printed or referred [to

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a committee] be laid on the table, and that no further action shall be had thereon." The anti-slavery men and the supporters of the Constitution bitterly attacked this infringement of the rights of the people. The champion of the petitioners was John Quincy Adams, former President and now a member of the House. Despite his continuous and able attacks on the 'Gag Rule,' it was not until 1844 that it was removed from the rules of the House. The attempt to throttle the Abolition movement with the aid of the national Government was really a boomerang to the Southerners. Anti-slavery men were gradually coming closer and closer to the Abolitionists' point of view, and practical Abolitionists formed the Liberty party, which was destined to play a prominent part in politics during the decade of 1840-50. The moral argument of the Abolitionists was less successful, if possible, than the old scheme of Benjamin Lundy's. The Southerners, who denied in the first place that slavery was immoral, demanded from the anti-slavery men of the North a moral argument that could make them give up millions of dollars' worth of slaves and property. Doubtless a scheme of gradual emancipation could have been worked out if the Southerners had been willing, but the Abolitionist tirades against them and their system seemed to bind the system of slavery and the future of the South closer together.

CHAPTER II

SLAVERY AND TERRITORIAL GROWTH

THE period from 1840 to 1850 in American history was dominated by one big movement, national territorial expansion. Connected very closely with this movement was the vital question of whether slavery should be established in the new regions or not. The South desired more territory so that the institution of slavery could be extended, while the North, although it believed in the acquisition of new territory, did not wish to extend slavery in any way whatever. The struggle over the extension of slavery naturally centred in the territories. The South, burdened by the system of extensive agriculture, realized that if the territory open to slavery were limited, her entire economic future was limited. As has been stated before, there was one great Westward movement after the French and Indian War and the American Revolution, and another after the War of 1812. The third great Westward movement occurred, roughly, between 1838 and 1850, when the last barriers to the Pacific were crossed and Texas and the South-west attracted thousands of settlers. The number of native emigrants was greatly augmented during this period by the thousands of immigrants from Europe, mainly from Germany and Ireland. These immigrants, unaccustomed to the system of slavery, were largely opposed to the institution, and did all in their power to prevent its spread. They were an important factor in the holding of the West, to which they went in large numbers, for the Union during the Civil War.

The impulse behind the expansion movement was so great that the pioneers pushed far beyond the recognized boundaries of the United States. Texas, a state of Mexico, was a fertile field of settlement. The first two decades of the nineteenth

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century witnessed a series of invasions of that section from American soil. No one of them was large enough to conquer the Mexican territory, and they are cited here merely to show that the Texan plains were looked at longingly by many Americans. After 1820 the invasion of Texas took a new form. Under the leadership of Moses Austin and his son Stephen thousands of American settlers crossed the Sabine River and, taking advantage of the liberal land policy of the weak Mexican Government, established within its borders an American colony, which contained about 20,000 persons in 1830. It was not long before the Mexican Government saw the danger that this group of virile, self-dependent, hardy pioneers threatened to the control of her province. She sought to stop the movement by abolishing slavery in 1829. This aroused such a storm of protest that she was compelled to repeal the decree as far as Texas was concerned before the year was out. In the following year, however, she forbade further immigration from the United States. An attempt to enforce this law by military strength resulted in the uprising of the Texans and the driving of the Mexican army across their borders in 1832. During the next three years Mexico went through a period of centralization which resulted in the subjugation of every state to the central will, with the exception of Texas. Throughout this struggle Texas sided with the Mexican Liberals, who were bitter opponents of the Centralists. The resistance of Texas led to the revolution which was ultimately to result in her independence.

In 1836 the Texans held a convention, which declared the independence of the state and made provisions for defence against the Mexicans, who were expected to attack in force at any time. Santa Anna, the Mexican President, finally crossed the border with an army of several thousand men for the purpose of crushing the revolutionists. For a time resistance to the Mexican force seemed useless. Small groups of Texans were unable to stop Santa Anna's advance and were gradually crushed. The heroic defence of the Alamo, a mission building at San Antonio which had been made into a fort, revived the drooping spirits of the Texans and gave them

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renewed courage to struggle against overwhelming odds. The extermination of the entire garrison, carried out with horrible cruelty, gave rise to the war cry, "Remember the Alamo!" Santa Anna pushed his way far into Texas, leaving a trail of blood and murder behind him. The Texans withdrew in the face of superior numbers until they reached the San Jacinto River, where on April 21, 1836, they turned, under the leadership of General Sam Houston, and completely routed the Mexicans, killing 630 and capturing Santa Anna himself. In order to secure his release he signed an agreement to withdraw all his troops from Texas and to attempt to gain the recognition of Texan independence. This agreement really marks the beginning of the Texan republic, for, although Santa Anna repudiated it as soon as he returned to Mexican soil, internal conditions were such that he was unable to carry out another invasion.

The new Government adopted a constitution on March 17, 1836. It legalized the existing institution of slavery, but permitted further importations of slaves from the United States only. There was a strong movement immediately for the annexation of the new republic to the United States on the part of the 50,000 Americans who were living there under the presidency of Sam Houston, a former governor of the state of Tennessee. The feeling in the United States appeared to be in favour of annexation. This was true even before the revolution. Adams and Jackson had made unsuccessful attempts to buy the province from Mexico in 1827 and 1835. The successful revolt brought new influences to bear. Both the houses of Congress recognized the new Government, but Jackson now refused to attempt to negotiate for annexation because the Mexican Government had not recognized Texan independence, and might at any moment throw a punitive force against her borders. Besides this the question of the Abolitionists and the right of petition were absorbing the interests of the country, and Jackson and his successor, Van Buren, had no desire to open up a sectional fight over the question of the addition of such a huge piece of slave territory to the national domains. The annexation question

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was allowed to remain dormant until after the election of 1840.

While the Texas question absorbed the interests of the North and South, it was not of particular importance to the West. They had a problem of expansion which was peculiarly their own. This was the question of Oregon, which by 1840 was the home of many settlers who had pushed their way up the Missouri River, across the mountains, and down the Columbia river to the shores of the Pacific. The boundaries of Oregon at the opening of the nineteenth century were very indefinite, and the entire territory was claimed to some extent by Spain, Russia, Great Britain, and the United States. By the treaty of 1819 Spain ceded all claims to territory north of the forty-second parallel of latitude to the United States, and in 1824 Russia gave up her claims south of the parallel $54^{\circ} 40'$. This left the territory between these two parallels of latitude in the joint possession of Great Britain and the United States, whose claims to the region overlapped. Great Britain based her claims on the voyage of Captain Cook, who stated that he went as far north as 54° in 1778 and on the several trading posts that the Hudson Bay Company had established in the disputed area. The claims of the United States were based on the voyage of Captain Gray, who sailed into the mouth of the Columbia River in 1792, the Lewis and Clark expedition in 1804-6, and the establishment of the fur-trading post, Astoria, near the mouth of the Columbia River, in 1811.

In 1818 the Oregon question was settled temporarily by a treaty between the United States and Great Britain, which provided for the joint occupation of the Oregon region for a period of ten years. This agreement was not to impair in any way the claims to the district held by either country. In 1827, the condition of Oregon having changed very little, the treaty of 1818 was renewed for an indefinite length of time, and could be terminated only on a year's notice from either country. The expansionist feeling in connexion with the annexation of Texas renewed interest in the Oregon country, and a subtle desire ran through the Westerners for a settlement of the question.

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In the meantime attempts were made to colonize the region. Most of these were organized by the missionary boards of the Protestant Churches of the East. Missionaries who returned from that region sent letters broadcast and lectured on the wonderful opportunities to be found there. By 1841 there were about four hundred settlers in Oregon who had braved the hardships of the tortuous overland journey. The Westerners, keenly alive to the wealth of Oregon, determined if possible to obtain the entire section in dispute for the United States, and adopted the slogan " Fifty-four forty or fight," which meant that they were willing to go to war with Great Britain to wrest Oregon from her. As we shall see later, the Texas and Oregon questions were to be the principal issues of the election of 1844.

' REANNEXATION ' OF TEXAS AND ' REOCCUPATION ' OF OREGON

The election of 1840 brought the Whigs into power under the leadership of President Harrison. He died one month after his inauguration, and for the first time in the history of the Republic the Vice-President succeeded to the Presidency. Tyler, the new President, was in no sense of the word a Whig, with the single possible exception that he was anti-Jackson. He was a Southern Democrat, and had been put on the ticket with Harrison to secure as large a Southern vote as possible. He was unalterably opposed to a strong central Government, a United States Bank, the high protective tariff, and internal improvements, the very things that the Whigs stood for. Henry Clay, the Whig leader in Congress as well as the leader of the entire Whig party, was not the type of man who would recognize an anti-Whig President. Those who looked for a struggle between the executive and legislative branches of the Federal Government were not disappointed. The issue came almost immediately. It was over the question of the establishment of a Bank. After a very short period of debate the Senate passed a Bank Bill on July 27, 1841, and the House passed it on August 6. Tyler vetoed the Bill on August 16, on the ground of constitutionality, much to the chagrin of the Whig leaders in Congress and throughout the country. After

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the veto prominent members of Congress consulted with Tyler, and a new Bill, supposed to meet his objections to the other one, was passed in the House on August 23 and in the Senate on September 3. On September 9 Tyler vetoed this Bill also, claiming that it was similar to the original Bill, although couched in different language. All the members of his Cabinet, who had been appointed by Harrison, resigned, with the exception of Daniel Webster, who was Secretary of State.

The reason Webster gave for not resigning was that he did not wish to embarrass the President or the country by breaking off the delicate negotiations he was engaged in at that time with Great Britain. Friction had arisen between the two countries over the *Caroline* affair, which occurred in 1837. An American vessel, the *Caroline*, was attacked by Canadian forces in American waters (the Niagara River) and set on fire, after which she drifted over Niagara Falls. She had been engaged in filibustering with a group of Canadian insurgents. The case was still unsettled when Webster became Secretary of State. By careful and diplomatic handling Webster was able to settle peacefully this matter, in which the United States was clearly at fault.

Another cause of friction between the two countries was the north-eastern boundary dispute. This dispute arose over the meaning of the terms used in the treaty of peace that ended the American Revolution in 1783. There was a continual dispute over the boundary between Maine and New Brunswick, due largely to the use of the term 'highlands' in the treaty. The Americans and British differed as to what this term meant. The former claimed that it meant a northerly group of hills and the latter a southerly group. If either claim were allowed, the country holding that claim would be benefited thereby. In the third decade of the nineteenth century the inhabitants of Maine and New Brunswick were in continual dispute with each other, and a virtual state of war existed. The question became so serious that negotiations were carried on to have it settled. This resulted in the sending of Lord Ashburton to the United States to settle the question amicably.

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Fortunately Webster and Lord Ashburton were friends, and were able to determine the boundary line without the usual bickering and squabbling that ordinarily accompanies such affairs. The treaty, commonly called the Webster-Ashburton Treaty, was concluded on August 9, 1842. The territory in dispute was practically equally divided between the two contestants.

The question of the annexation of Texas, which had been dormant for seven years, came into prominence again in 1843. France and Great Britain had secured a truce between Texas and Mexico. This awakened much uneasiness in Washington, particularly when it was rumoured that Great Britain was planning to get a foothold in Texas and use her influence toward the abolition of slavery. Tyler and Upshur, his Secretary of State, who had succeeded Webster, determined to forestall any intervention and to bring about annexation at once if possible. The annexationists were in a much stronger position now than at any other time. Interest in Oregon was beginning to awaken, and they hoped to make the 'reannexation' of Texas and the 'reoccupation' of Oregon one big campaign of nationalism. By using Oregon as a foil they hoped that Northern opposition to the annexation of Texas would be drowned in their desire for national expansion. Further impetus was given to expansionist sentiment in 1843 by the rejection on the part of Great Britain of the extension of the forty-ninth parallel of latitude to the Pacific Ocean, and by the notification of the American State department by Mexico that any attempt to annex Texas would be considered an act of war. When Upshur approached Texas on the subject of annexation he received an indifferent response, largely due to the feeling on the part of the Texans that an annexation treaty would not be ratified by the United States Senate. In this event Texas would be in rather an awkward position as far as her relations with England were concerned. Upon being assured that the requisite number of votes would be forthcoming, and that Texas would be protected against Mexico while the negotiations were going on, Texas agreed to negotiate a treaty. Calhoun, who had succeeded Upshur,

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negotiated the treaty, which provided that Texas should be annexed as a territory and should surrender her public lands, in return for which the United States would assume Texan indebtedness. The treaty was presented to the Senate on April 22, 1844, with a strong message from Tyler urging its acceptance. The vote was taken on June 8, 1844, and the treaty was decisively defeated by a vote of 35 to 16. Fifteen senators from slave-holding states voted against annexation and five senators from free states voted for it.

While the discussion on Calhoun's treaty was at its height the conventions for nominating the Presidential candidates were held. The first convention held was that of the Liberty party, which was composed entirely of Abolitionists. The platform contained but one plank, which was the condemnation of slavery in the strongest of tones. Birney of Michigan and Morris of Ohio were the candidates for the Presidency and Vice-Presidency respectively. The importance of this party will be mentioned later. The Whig convention was held in Baltimore and met on May 1, 1844. Henry Clay was the most logical candidate, and he received the unanimous support of his party. Frelinghuysen of New Jersey was selected as his 'running mate.' The platform that was adopted was very non-committal, being a comparatively general statement of Whig principles. The questions of a National Bank and the annexation of Texas were conspicuous by their absence. The Democratic convention also met in Baltimore, later in the same month. The majority of the candidates were instructed to vote for Van Buren, but he was not an available candidate because of his outspoken objection to the annexation of Texas. In order to bring about his downfall the convention adopted the rule that a two-thirds majority was necessary for nomination. The Democrats have held to this rule ever since 1844. On the first ballot Van Buren received 146 votes against 120 for all the other candidates. On the ninth ballot James K. Polk of Tennessee was unanimously elected. His 'running mate' was Dallas of Pennsylvania. Polk had been a member of Congress for fourteen years, during the last four of which he had been Speaker of the House. The nomination came to

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him simply as an available man who was on record as in favour of annexation.¹ The Democratic platform stated that the "reoccupation of Oregon and the reannexation of Texas are great American measures, which the convention recommends to the cordial support of the democracy of the union."

The election itself was very close. Polk's electoral majority was 65, but his opponents received only 40,000 less popular votes² than he. Polk carried seven free and eight slave states, while Clay carried six free and five slave states. It is significant to note the importance of the Liberty party vote. They cast sufficient votes in New York and Michigan to give Polk the electoral votes of those states. If their votes had been cast for Clay, he would have received the popular vote, and hence the electoral vote. This would have given him a majority of thirteen in the electoral college.

Tyler interpreted the election of Polk to mean that the people of the United States favoured the annexation of Texas. He thereupon suggested to Congress, in his fourth annual message, that Texas should be admitted into the Union as a state, basing the constitutionality of the act on that provision of the Constitution which gave Congress the power to admit new states into the Union. This message was the signal for the flooding of Congress with petitions for and against the annexation. A joint resolution was passed in the House by a vote of 120 to 98. After much discussion in the Senate, the House resolution in an amended form was adopted in the Senate by a close vote of 27 to 25. The House accepted the Senate amendment by a vote of 132 to 76. President Tyler signed the Bill on March 1, 1845, three days before he retired from office. The resolution had three main provisions. First, the question of boundaries was to be settled by the United States Government. Second, the state was to cede to the United States all public buildings, ports and harbours, and other property and means of public defence, but was to retain

¹ Garrison, *Westward Extension*, p. 131.

² A voter in the United States does not vote directly for the President, but for members of the electoral college (see Constitution, Amendment XII). The party electors who receive the greatest number of votes in a state cast the entire electoral vote for that state.

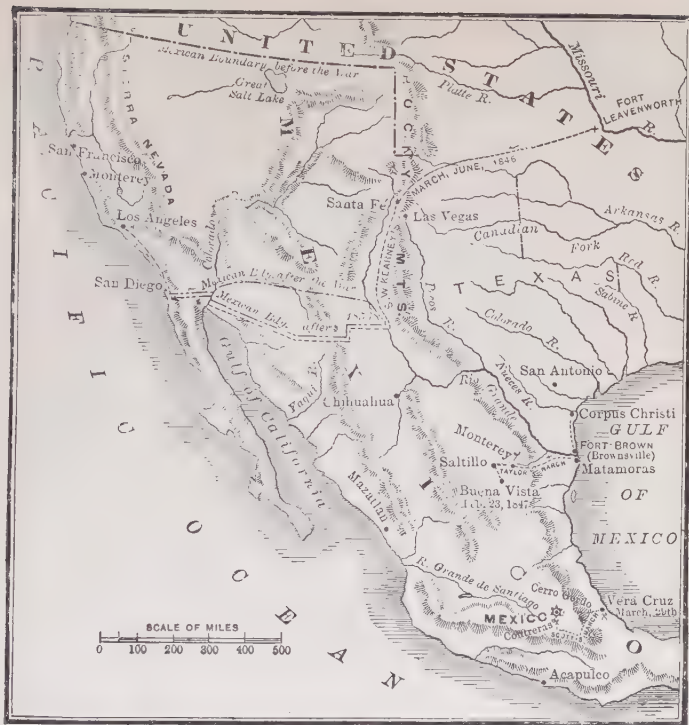
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He declared to Congress on May 11 that "We have tried every effort at reconciliation . . . but now, after reiterated menaces, Mexico has passed the boundary of the United States, has invaded our territory and shed American blood on American soil. She has proclaimed that hostilities have commenced, and that the two nations are at war. As war exists, and, notwithstanding all our efforts to avoid it, exists by the action of Mexico herself, we are called upon by every consideration of duty and patriotism to vindicate with decision, the honor, the rights, and the interests of our country." Congress on the next day voted \$10,000,000 and 50,000 men for the prosecution of the war, accepting the assertion that Mexico had begun the war as convenient, whether the truth or not.¹

The plans for the conduct of the war called for three main lines of attack. One, under the direction of Taylor, was to conquer the northern states of Mexico and hold them until Mexico sued for peace. The second, developed after the failure of the first, provided for the capture of Mexico City by way of Vera Cruz. The third was to invade and capture New Mexico and California, which were to be demanded as war indemnities. Taylor began operations before war was formally declared (May 12, 1846). He defeated the Mexicans, at Palo Alto (May 8) and Resaca de la Palma (May 9), and drove them back across the Rio Grande. He crossed the river himself and took Matamoras (May 18), and compelled the Mexicans to fall back on Monterey, from which position he dislodged them on September 23. Saltillo fell on November 16, and Victoria on December 29. Although part of his forces were withdrawn to take part in the Vera Cruz campaign he met an army four times the size of his own at Buena Vista (February 23, 1847) and severely defeated it, thus leaving all of Northern Mexico in the hands of the Americans.

While Taylor was carrying out his campaign, the operations against New Mexico and California were under way. Colonel Stephen Kearny started from Fort Leavenworth in Kansas in June 1846 to march to Santa Fé, which he reached and occupied on August 18. He then dispatched Colonel

¹ Wilson, *Division and Reunion*, p. 150.



MAP TO ILLUSTRATE THE MEXICAN WAR

TERRITORIAL GROWTH

Doniphan and 850 men to make a junction with Taylor, after marching through the northern provinces of Mexico. He himself started for San Diego, California. When he arrived in California in December 1846 he discovered that Commodore Sloat had seized San Francisco and Monterey, and that Stockton, Sloat's successor, had captured Los Angeles. These land and sea successes effectually ended opposition to American occupation of California and New Mexico.

In the meantime plans were pushed to capture the city of Mexico by way of Vera Cruz. The command of this expedition was given to General Winfield Scott. He landed near Vera Cruz on March 9, and took that city twenty days later, after a heavy bombardment. Proceeding toward Mexico city, 250 miles distant, Scott met the enemy at Cerro Gordo on April 17-18 and put them to precipitous rout. He was delayed here for several months while Polk was carrying on premature peace negotiations with the Mexicans. After the termination of the armistice he began to advance in August, and after successes at Molino del Rey (September 8) and Chapultepec (September 13) he occupied the city of Mexico on September 14, 1847. The Treaty of Guadalupe-Hidalgo was signed on February 2, 1848. The boundary agreed upon was to follow the Rio Grande from its mouth to the line of New Mexico; that line westward and northward to the first branch of the Gila it should cross; that branch and the Gila to the Colorado; and the line between Upper and Lower California to the Pacific.¹ In 1853 this cession was supplemented by the Gadsden Purchase, which straightened the line south of a big bend in the Gila. The United States agreed to assume the claims of its citizens on the Mexican Government and to pay that Government \$15,000,000. The treaty was ratified by the United States Senate on March 10, 1848, by a vote of 38 to 14. The acquisition of California and New Mexico and the settlement of the Oregon dispute practically put a stop to the expansionist movement and turned the energies of the people to the assimilation of the vast territories of the nation. In this process of assimilation the question of

¹ Garrison, *Westward Extension*, p. 251.

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the extension of slavery was destined to play a predominant part.

Before leaving the question of the Mexican war a word or two should be said in connexion with its justification. It has been called the "foulest blot on our national honor." Woodrow Wilson in his volume entitled *Division and Reunion* refers to it as a "war of ruthless aggrandizement." Many claimed that it was forced on Mexico for the purpose of extending the institution of slavery. The tendency among present-day writers, however, is to find ample justification for the war. One of the best exponents of this trend is Muzzey, who says in his *American History*: "Mexico had insulted our flag, plundered our commerce, imprisoned our citizens, lied to our representatives, and spurned our envoys. As early as 1837 President Jackson said that Mexican offences 'would justify in the eyes of all nations immediate war.' To be sure we were a strong nation and Mexico a weak one. But weakness should not give immunity to continued and open insolence. We had a right to annex Texas after that republic had maintained its independence for nine years; yet Mexico made annexation a cause of war. We were willing to discuss the boundaries of Texas with Mexico; but our accredited envoy was rejected by two successive Mexican presidents, who were afraid to oppose the war spirit of their country. We even refrained from taking Texas into the Union until Great Britain had interfered so far as to persuade Mexico to recognize the independence of Texas, if she would refuse to join the United States."

CHAPTER III

THE COMPROMISE OF 1850

THE addition of Texas, Oregon, and the Mexican cession to the domains of the United States between the years 1845 and 1848 increased the approximate square mileage of the Republic from 1,770,000 to 2,970,000. This vast increase in territory provided the main issue between the Northerners and Southerners during the twelve years preceding the Civil War. Whenever any attempt was made to establish a form of government in the new land the inevitable question arose, "Shall it be slave territory or shall it be free?" The Mexican cession, containing more than half a million square miles, caused a bitter debate in Congress and throughout the entire country, in the course of which the threat of disunion and secession was continually heard. The question arose over an appropriation of \$2,000,000, which Polk asked for in order to help him gain an early peace with Mexico. As this was in 1846, when the war was hardly under way, the assumption was generally made that the money was to be used for the acquisition of new territory. The request for the money was made on August 8, 1846, and the same day an amendment was offered to the Bill by David Wilmot of Pennsylvania, which read as follows: "Provided, That, as an express and fundamental condition to the acquisition of any territory from the republic of Mexico by the United States, by virtue of any treaty which may be negotiated between them, and to the use by the executive of the moneys herein appropriated, neither slavery nor involuntary servitude shall ever exist in any part of said territory, except for crime, whereof the party shall first be duly convicted." ¹ This measure

¹ *Congressional Globe*, Twenty-ninth Congress, First Session.

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was passed by the House, but was defeated in the Senate on the last day of the session. As was to be expected, it aroused a storm of protest and criticism in the South, where it was maintained that by means of it they were to be excluded from their fair share of any additional territory. The Northerners, however, refused to be moved by this outbreak in the South, and announced that the proviso was merely another way of stating that they would not permit another slave state to come into the Union. The appropriation Bill with the proviso attached came up again in 1847 and was passed by the House, but again rejected by the Senate. In one form or another the point continually cropped up, until the Civil War settled the question of slavery in the territories for all time.

While the question of the extension of slavery was rampant and the country was in a state of general excitement, the campaign and election of 1848 were held. Conventions of the Native American party, Liberty or Abolition party, and the Labour party were held, and they recommended or selected candidates, but did not play a very important part in the election. The Democrats held their convention in Baltimore in May 1848. The delegation from New York was split into two rival factions and caused great difficulty. On the fourth ballot Lewis Cass, of Michigan, was nominated, and General W. O. Butler was selected for Vice-President. Cass was very popular in the West, and a man of great ability. His name is most intimately connected with the principle of 'squatter sovereignty,' which provided that the new territory of the United States should be open to inhabitants of free and slave states on equal terms. He firmly and honestly believed that the Southerners would settle in those territories where nature made slavery feasible, and that the Northerners would settle in those where climatic conditions, etc., made slavery impracticable. According to his plan, when the territory applied for statehood the people of the territory could decide for themselves whether they should come in with or without slavery. The chief plank in the platform, which was largely a reproduction of that of 1844, was a denial of the right of Congress to interfere with the domestic institutions of the

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states, and a condemnation of all efforts to induce that body to deal with the question of slavery at all.¹ Despite this assertion the platform was very evasive.

The Whigs met at Philadelphia in June 1848 and nominated General Zachary Taylor, of Louisiana, and Millard Fillmore, of New York. Taylor was nominated for his war record rather than for his political experience. He was a Southern slave-holder, but not of the radical type. The convention made no platform whatever, relying, probably, on the campaign cry of "Old Rough and Ready" to carry the election for its candidate.

In August 1848 a convention met at Buffalo, called for the purpose of uniting all the opponents of Cass and Taylor into one group. The convention organized the Free Soil party, and adopted for its motto "Free soil, free speech, free labour, free men." Van Buren and Charles Francis Adams were nominated for the Presidency and Vice-Presidency respectively. The attitude of the Free Soil party was very positive toward slavery, declaring that it was "the settled policy of the nation not to extend, nationalize, or encourage slavery, but to limit, localize, and discourage it." The Free Soil party did not believe in interfering with slavery where it was already established by law, but they were unalterably opposed to any further extension of slavery in the territories. In this position they differed radically from the Liberty party of 1844, which advocated the abolition of slavery even in those states where it was legally established. The importance of this distinction was to come later, when the Republican party was born. Instead of adopting the ideas of the Liberty or Abolition party on the question of slavery, it took over the Free Soilers' point of view.

The election of 1848 was a very drab and uninteresting one. Very little popular enthusiasm was in evidence. Taylor received 163 electoral votes to 127 for Cass. The popular vote in New York carried the election for Taylor. Owing to the split in the Democratic ranks Van Buren was able to poll 120,000 votes on the Free Soil ticket. Cass received

¹ Garrison, *Westward Extension*, pp. 276, 277.

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114,000 and Taylor 218,000. Had the Democrats been united and cast a solid vote for Cass he would have been elected.

While the Presidential nominating conventions were being held, the question of the organization of the territory of Oregon came up. In May 1848 Polk delivered a special message on this subject, and a Bill was introduced which provided for the making permanent of the Government which already existed there and which had prohibited slavery. Calhoun and Jefferson Davis, who was to become his successor as the champion of the South, objected to the measure and introduced an amendment to the effect that "nothing should authorize the prohibition of slavery in Oregon so long as it was a territory of the United States." Both men knew that the laws of nature prevented the establishment of slavery in Oregon, but they desired to force the principle on Congress that it had no right to interfere with slavery in the territories. After a bitter debate Oregon territory was admitted without slavery, although Polk said, when he signed the measure, that he did so because Oregon was above the 36° 30' line. Congress adjourned, however, without settling the question of the organization of California and New Mexico.

The session of Congress that met in 1848-49 failed to do anything to organize these two districts. Polk in his message suggested the extension of the Missouri Compromise line to the Pacific, but his suggestion met with no response. The anti-slavery Northerners favoured the principle of the Wilmot proviso, while the pro-slavery Southerners favoured the principle that Congress had no right to pass a law forbidding slavery in the territories, since they were the common possession of the states, and that if anything were property in the states it would be *ipso facto* property in the territories. During this session the House passed a Bill to make California a free territory, but the Senate rejected it. A Bill was introduced by Northerners to abolish the slave-trade in the District of Columbia, but the South countered with the proposition to enact a more effective fugitive slave law.

The administration of Polk came to an end on March 4, 1849, without reaching a definite conclusion on the question

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of the territories. The North and South were soberly determined that their attitude on the slavery question should prevail. When the new Congress met in December 1849 the situation was still deadlocked. The issue had become more pressing, however, because of the discovery of gold in California. Hordes of men, professional and labourers, rushed to the new El Dorado from all parts of the world. Round Cape Horn, across the Isthmus of Panama, and overland through United States territory poured the almost unending stream of 'forty-niners,' as the seekers of wealth were called. Most of the Americans who rushed to the goldfields came from free states, largely because the Southerner could not see his way clear to transport his slaves thither. Having grown tired of the evasiveness and inactivity of Congress, the new settlers gathered at Monterey in September 1849 and drew up a form of government in which the institution of slavery was unanimously prohibited. This irregular Government, erected with the tacit approval of Taylor, asked for admission as a free state as soon as Congress became organized. New Mexico, evidently actuated by the success of California, determined to go ahead and organize her own government in similar fashion, without slavery. Taylor, in his first message to Congress, had asked it to "abstain from the introduction of those existing topics of a sectional character which have hitherto produced powerful apprehensions in the public mind." The action of California and New Mexico prevented such abstention and forced the first session of the thirty-first Congress to take up the question and settle it once and for all.

The crisis found the temper of Congress keyed up to the breaking-point. Some of the biggest men the United States had ever produced were seated in that session. Clay, Calhoun, Webster, Seward, Hale, Cass, Davis, Douglas, Chase, and Sumner, each of them a mighty force, were gathered together to settle the momentous question of the extension of slavery in the territories, which was rapidly causing a decided drift toward disunion. In the House the Whigs and Democrats were almost equally divided, with the Free Soilers holding the balance of power. It took three weeks to elect a Speaker.

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In the course of this struggle threats of disunion were frequent, Toombs, of Georgia, declaring: "I do not hesitate to avow before this house and the country . . . that if, by your legislation, you seek to drive us from the territories of California and New Mexico . . . and to abolish slavery in this District, thereby attempting to fix a national degradation upon half the states of this confederacy, I am for disunion." Baker, of Illinois, answered him by saying: "In the name of the men of the North, so widely attacked, and speaking what I know to be their sentiments, I say a dissolution of this union, must be, shall be, impossible, as long as an American heart beats in an American bosom."¹

The crisis was so great, and the demands of both sides so divergent and positive, that the leaders of both Houses recognized that the only way in which the Union could be saved was by a compromise measure which would grant something to each side. Clay, the 'Great Compromiser,' stepped into the breach. On January 29, 1850, he introduced a series of eight resolutions, which were to be a cure-all for the ills of the nation. These resolutions provided that California should be admitted as a free state and that the remainder of the Mexican cession should be organized into territories without restriction as to slavery. The Texas debt contracted previous to annexation, up to an amount fixed by Congress, was to be paid by the United States, but the territorial claims of the state on New Mexico were to be given up. Slavery in the District of Columbia and the interstate slave-trade were not to be interfered with, but the importation of slaves into the District for sale should be prohibited. Finally, more effectual provision was to be made for the return of fugitive slaves.²

These resolutions called forth one of the most memorable debates ever held in the Senate. Clay spoke for his compromise measures on February 5 and 6. He spoke of the struggle between the free and the slave-states and stated that he wished to restore concord, harmony, and peace. His measures meant

¹ *Congressional Globe*, Thirty-first Congress, First Session.

² Garrison, *Westward Extension*, pp. 320, 321.

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the giving up of something by both sides, but at the same time both sides would gain something, and the Union by which he meant to "stand and die" would be preserved. Clay was followed by Calhoun, who was so weak with the ravages of tuberculosis that his speech had to be read, although he himself was carried into the Senate chamber in his wheel-chair. This was his last great effort, for a month later he was dead. Calhoun's speech was one of warning, and was strongly opposed to the compromise measures. He said that the equilibrium between the North and the South had been destroyed by Northern aggression and that now an attempt was being made to abolish it altogether by the prohibition of slavery in the new territories. He said that disunion was gradually coming about because of the growth of the Abolition movement, which was becoming so strong that neither of the great political parties dared oppose it. Even the Churches were broken up into Northern and Southern branches over the question of slavery. The remedy he proposed was not a compromise measure, but the acceptance on the part of the North of the Southern programme, which included the abolition of the Anti-slavery movement, a just execution of the Fugitive Slave Act, and an amendment to the Federal Constitution guaranteeing the South an equal position with the North in the territories. "If you who represent the stronger portion cannot agree to settle them [his demands] on the broad principles of justice and duty, say so; and let the states we both represent agree to separate and part in peace. If you are unwilling we should part in peace, tell us so, and we shall know what to do, when you reduce the question to submission or resistance. If you remain silent you will compel us to infer by your acts what you intend." Calhoun stated the case of the South exactly; she had been outdistanced by the North, and she must either submit to abolition or secede.

Calhoun's speech was delivered on March 4. Webster spoke on March 7. His speech was in favour of the compromise, because his love of union was greater than his hate of slavery. He said that, as the laws of nature would make

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slavery impossible in New Mexico, the Northerners should not taunt the Southerners with the Wilmot proviso. He thought that the South was right and the North wrong on the issue of the return of fugitive slaves. He chided the Abolitionists and took them to task for attempting to set up their conscience against the laws of the land. In a remarkable burst of oratory he asked the Southerners to give up the thought of secession and to come out from such caverns of darkness into the fresh air of liberty and union. Webster, long looked upon as the champion of the anti-slavery men, was bitterly criticized for giving up his former position and supporting Clay's compromise measures. He was accused of making a bid for the Presidency, but the judgment of time has been that when he said that he placed his love of union above his hatred of slavery he was speaking his innermost and sincerest thoughts.

The position of the young men who were coming into prominence was ably stated by Seward and Chase, the former a member of the Free Soil party and the latter a Free Soil Democrat. Seward demanded the immediate admission of California as a free state, repudiated all compromise, and, denying the possibility of any equilibrium between the sections, declared the common domain of the country to be devoted to justice and liberty not only by the Constitution, but also by "a higher law than the constitution." He stated that slavery must give way, that "all measures which fortified slavery or extended it, tend to the consummation of violence . . . all that check its extension and abate its strength, tend to its peaceful extirpation."¹ Chase spoke with equal boldness to the same effect.

The debate had now lasted for almost seven months, and the question seemed as far from settlement as ever. There appeared to be some doubt as to the attitude of Taylor toward the provisions of the compromise measures. He finally approved them, and with his aid all the measures were passed by the House and Senate and signed by him during August and September 1850. The South really gained

¹ Wilson, *Division and Reunion*, p. 171.

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more than the North by the compromise measures. The admission of California as a free state was offset by the opening up of the rest of the Mexican cession to slavery. The abolition of the slave-trade in the District of Columbia merely meant that the markets of the surrounding states were to have an increased business. Texas received \$10,000,000, which strengthened her financial position immeasurably, and the territory she gave up was not entirely lost to slavery by the provisions of the Bill. The Fugitive Slave Law that was passed was very harsh. The runaway was not allowed a trial, and the entire machinery of the Federal Government was placed at the disposal of the slave-owner. Under its provisions all citizens were made aids to the marshals who were attempting to arrest an escaped slave, and they were subject to a fine of \$1000 if they refused assistance. The remainder of Fillmore's administration (Taylor died July 9, 1850) was spent by him in conscientiously trying to execute the provisions of the great compromise in a just and equitable manner.

FINALITY

For four years after the adoption of the compromise measure the country forgot its old disputes about the Wilmot proviso, disunion, and the extension of slavery, and accepted Clay's measures as the final word on the slavery issue. All the leaders, of both North and South, the Press, the pulpit, and public assemblies preached the word 'finality,' and these influences gradually broke down the opposition to the measures. The only men who refused to accept the compromise as final were a few 'bitter ender' Southerners and the radical leaders of the Free Soil party. The disunion movement in the South was effectively checked, and in approximately every contest the Unionists were victorious over the Anti-Unionists. The anti-slavery men and the Abolitionists, with the exception of the more radical, apparently accepted the 'finality' theory and ceased their agitation. The one provision of the compromise that the Northerners found very hard to follow was the Fugitive Slave Act. Now

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and again violent attacks were made on it in public meetings, and in a few instances Northerners refused to assist the Federal authorities in the prosecution of their duties. The work of the 'underground railroad' became more hazardous, and its activities were greatly curtailed. This was a system by which negroes were given aid and shelter while escaping into free territory. The new Fugitive Slave Act, if strictly enforced, would close every 'station' on the 'underground railroad,' and put in jeopardy the person who was discovered aiding an escaped negro in any way.

The election of 1852 occurred when the country was at peace internally, and caused slight interest. General Franklin Pierce, of New Hampshire, was returned a sweeping victor over General Scott, the Whig candidate. There was no real issue of the campaign, both candidates offering to support the 'finality' of the compromise measures, but the people supported the Democratic candidate, because they felt that he represented a party that stood more firmly behind the compromise than the Whigs. In his inaugural address Pierce called attention to the fact that "a sense of repose and security has been restored throughout the country" and hoped that "no sectional or fanatical excitement might again threaten the durability of our institutions or obscure the light of our prosperity." The first half of Pierce's administration was indeed marked by prosperity. Vast sources of wealth were opened up by the discovery of gold and silver in California, the great increase in manufacturing, the growth of the merchant marine, and the cultivation of the immense wheat-fields of the Middle West. The doubling of the railroad mileage between 1848 and 1858 helped to provide a market for these various industries, as well as to aid in the unification of the country. In the South the value of cotton rose to \$100,000,000 per annum, and the phrase "Cotton is king" indicated the wave of prosperity in that section. With the great expansion of business in the United States came a demand for greater and greater supplies of cheap labour. The failure of potato crops in Ireland and the crushing of the popular uprising in Germany caused thousands

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of Irishmen and Germans to migrate to the shores of America. In the year 1854 427,833 immigrants entered the United States. The Irish settled in the large cities, while the Germans, to a great extent, went to the West, where they engaged in agricultural pursuits.

The discovery of gold in California revived interest in a canal across the Isthmus of Panama. When a group of American capitalists proposed to construct a canal they found that Great Britain claimed a protectorate over the region. This led to diplomatic negotiations with that country, which resulted in the Clayton-Bulwer Treaty of 1850. This treaty jointly guaranteed the neutrality of any canal built across the Isthmus of Panama, and neither Government was to attempt to get exclusive control over the canal or to attempt to establish colonies in Central America. This treaty remained in force until it was superseded by the Hay-Pauncefote Treaty of 1901.

Another episode in the foreign relations of the United States deserves mention at this point. It concerned Cuba, which had always been coveted by American expansionists—by slave-holders for obvious reasons, and by many others because of the fear that it might fall into the hands of a stronger nation than Spain. An offer to purchase the island by President Polk was curtly refused by Spain, and Spanish-American relations were strained as a result of the activities of a filibustering expedition from New Orleans. In the summer of 1854 the American ministers to Madrid, Paris, and London met at Ostend and issued the famous Ostend Manifesto, one of the greatest pieces of political jobbery in the history of the world. The Manifesto declared that the possession of Cuba was necessary to the peace of the United States, and that if Spain refused to sell it the former would be justified in seizing it. This suggestion was barefaced thievery, and was promptly disavowed by the American Secretary of State, William L. Marcy.

BOOK V

DIVISION AND REUNION

1854-65

CHAPTER I

THE IMPENDING CRISIS

DURING the four years following the compromise of 1850 the eyes of the Republic were focused on the new Western lands, particularly Oregon and the Mexican cession. Between these regions and the Mississippi lay the vast unorganized territory which remained from the Louisiana Purchase after the passage of the Missouri Compromise Act in 1820. The Indians were very strong in this region, and were a stumbling-block to the hardy pioneers who desired to settle in the fertile valleys of the Missouri or Kansas, or to push across the Rockies to the coastal plain. According to the provisions of the Missouri Compromise, this region was to be for ever free, and when a series of Bills was introduced in 1853 to organize Nebraska, as the region was called, into a free territory, every one believed that the provisions of the compromise were in no way jeopardized. The Bills were defeated in the Senate, however, by the Southerners, who were opposed to the creation of such an enormous amount of free soil.

THE KANSAS-NEBRASKA BILL

The chairman of the committee on territories in the Senate was Stephen A. Douglas, a man of tremendous ability and the best debater there. He was also a very skilful politician. After the death of the great triumvirate, Webster, Clay, and Calhoun, he was probably the foremost statesman in American public life. On January 4, 1854, he introduced a measure in the Senate, known as the Nebraska Bill, which provided

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for the establishment of the territory of Nebraska, with the provision that when it entered the Union it could come in with or without slavery, as the people chose. Douglas's motive for opening up the question of slavery again above the 36° 30' line is rather uncertain. It appears to most writers, however, that he intended to make a bid for the Presidency, and by means of this Bill to get control of the South. There seems to be no evidence to prove that Douglas thought at any time that he was bringing up a question that was going to precipitate a civil war.

The phrase 'with or without slavery' was rather vague, and Douglas was almost immediately called upon to explain his meaning. The issue was joined when a Southern member offered an amendment expressly repealing the Missouri Compromise of 1820 and a Northern member offered one affirming it. Douglas was compelled to choose between the two amendments. After consulting President Pierce he decided upon the amendment repealing the Compromise, and introduced a new Bill incorporating that provision on January 24. This new Bill also divided the new district to be organized into two parts, Kansas (the southern part) and Nebraska (the northern part). The purpose of making this division was to preserve the old balance of power idea—that is, Kansas was expected to come in as slave territory and Nebraska as free. The section that provided for the repeal of the Missouri Compromise stated that the principle of this Compromise had been superseded by the principle of the Compromise of 1850, and was therefore null and void. In 1820 the question of the extension of slavery was settled by Congress fixing a line, 36° 30', north of which slavery was for ever abolished, and south of which slavery could exist. In 1850 a new principle was evolved, whereby Congress, instead of legislating on the question of slavery, left it to the people of the territories to decide for themselves. Therefore, according to Douglas, the new principle in regard to slavery extension made the old one null and void and no law.

The reaction in the startled North was tremendous. Douglas and Pierce were bitterly assailed as the destroyers

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of the calm that had settled over the country, and hailed as the demolishers of the sacred pledges of the Union, for the purpose of controlling the Presidency in 1856. The Whigs, Free Soilers, and many Northern democrats united in strong protest. Under the leadership of Chase they issued an *Appeal of the Independent Democrats in Congress to the People of the United States*. They called upon the people to protest against the Kansas-Nebraska Bill in every possible way, and branded it "as a gross violation of a sacred pledge; as a criminal betrayal of precious rights; as part and parcel of an atrocious plot." "Will the people permit their dearest interests to be thus made the mere hazard of a Presidential game?" Mass-meetings were held throughout the country denouncing the Bill, and the legislatures of several of the Northern states passed resolutions against it. The result of all this agitation was the concentration of popular interest on the Bill and the unleashing of all the sectional passions that had lain dormant under the veil of harmony that followed the Compromise of 1850.

The debate over the Bill lasted almost six weeks without interruption. The debates, which often sank to the level of personal vilification, were awaited breathlessly throughout the country. The chief exponent of the Bill, naturally, was Douglas, who claimed that the opposition to the Bill was raised by the Abolitionists, who had "made an impression upon the public mind . . . by a falsification of the law and of the facts." His chief opponent was Chase, who said in connexion with the repeal of the Missouri Compromise "that the Compromise Acts of 1850 were not intended to introduce any principle of territorial organization to any other territory except that concerned by them. . . . If you wish to break up the time-honored compact embodied in the Missouri Compromise . . . do it openly, do it boldly. . . . But its effect will be to satisfy all thinking men that no compromise with slavery will endure, except so long as they serve the interests of slavery. . . . This discussion will hasten the inevitable reorganization of parties upon the new issues. . . . It will light up a fire in the country which may perhaps consume those who kindle it." Chase was amply supported by

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Sumner (a free Democrat), Seward (an anti-slavery Whig), Everett (a Webster Whig), and Wade of Ohio, Chase's colleague.

The forensic superiority of Douglas vanquished his opponents, and, with the aid of the administration forces, the Bill passed the Senate on March 3, 1854, by a vote of 37 to 14. The Bill then went to the House, and for a long time it looked as though the measure would not come to a vote before the session closed. By means of a clever trick Stephens of Georgia forced a vote on the night of May 22. The Bill passed by a vote of 113 to 110, and became law on May 30, when President Pierce signed it.

"No Act more fateful in character ever passed the Congress of the United States, for it set in motion the train of political changes which led straight to the civil war. It was the direct cause of a radical alteration of northern political feeling, of the total failure of the compromising or union policy of 1850, and of the destruction of both the national parties. The suddenness of its introduction, the recklessness of its disturbance of the territorial situation, were such as to make an instant powerful impression; and the members of Congress who passed it realized, when the session finally ended in August, that they had begun a political revolution, whose end no man could foresee."¹

THE STRUGGLE FOR KANSAS

The test of Douglas's theory of popular sovereignty came shortly after the passage of the Kansas-Nebraska Bill. The fertile plains and river valleys of Kansas offered an ideal settlement for the small farmer as well as for the large plantation-owner, while climatic conditions made it possible for the latter to bring his slaves with him. The first settlers in Kansas came from the slave-holding state of Missouri, and it seemed as though the Southern hope that Kansas would become a slave-state was about to be realized. The Northerners, however, roused by the opening to slavery of territory that was to be "for ever free," determined to turn the popular sovereignty theory against the Southerners by getting the

¹ Smith, *Parties and Slavery*, pp. 107-108.

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control of Kansas and Nebraska in the hands of anti-slavery men. To accomplish this end societies were formed in many free states to send 'free' emigrants to the territories in sufficient numbers to outvote the pro-slavery men. One of the chief organizations formed for this purpose was the New England Emigrant Aid Society. Its purpose was to finance anyone who had a genuine desire to settle in the new territory. This 'invasion' of Kansas by Northerners and Southerners brought up the question of when the status of slavery was to be decided. Was it to be decided while Kansas was still a territory or when she applied for admission as a state? Both sides determined to get control of the territory so that, when the decision had to be made, it would be in their favour.

Part The struggle between the free and slavery men arose as soon as Governor Reeder, appointed by President Pierce, announced that the election for territorial delegate would be held on November 29, 1854. The election was carried by the Southerners, largely because more than sixteen hundred armed men from Missouri, known as 'Border Ruffians,' crossed the Kansas boundary line and voted. Probably the future trouble that was in store for 'bleeding Kansas' would have been avoided had Governor Reeder and Congress courageously denounced the illegality of the election. This election foreshadowed what was to occur when the election for the territorial legislature was held (March 30, 1855). On that day more than five thousand 'Border Ruffians' crossed the line and voted for the Southern candidates. Here again Reeder failed to act, and the fraudulently elected Southerners promptly expelled the few Free Soil men who had been elected, and passed a code of laws protecting slavery. In the South this action was applauded, in the North denounced.

The Free State party in Kansas determined not to abide by the election. Under the able leadership of Dr Charles Robinson, and following the example of California, they organized a Government of their own at Topeka, adopted a constitution forbidding slavery, and applied for admission into the Union as a free state. Naturally the Southern Government denounced this Government as illegal and null and

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void. Conflict was inevitable and merely a question of time, inasmuch as two Governments, formed under the principle of squatter sovereignty and diametrically opposed to one another on a fundamental issue, were seeking to gain control of the territory.

Such was the situation when Congress met in 1856. The Kansas problem was a troublesome one. How was the administration to approach it so as not to prejudice its chances in the coming Presidential election? What attitude should the parties take toward it, and was it to be an issue? ¹ Pierce, by party association, was compelled to come forth as a champion of the pro-slavery forces. Consequently, in a special message to Congress, he condemned the Topeka convention as revolutionary, and stated that the entire blame for the unfortunate situation in Kansas must fall upon the New England Emigrant Aid Society in particular and abolition agitators in general. His solution of the matter was the passage of an Act permitting Kansas to come into the Union as a state. As a sop to his Northern critics he issued a proclamation against further illegal actions on the part of both the 'Border Ruffians' and the Free State men. The struggle in Congress was precipitated when Douglas reported from his committee on territories that the territorial Government set up by the Southerners was the legal Government of Kansas and that the Topeka organization was illegal. On March 17, 1856, he introduced a Bill to enable Kansas to hold a duly elected convention for the purpose of adopting a constitution. The new election was, apparently, a way to settle the dispute between the two rival factions in Kansas. This plan was supported by the administration. The supporters of the Topeka organization met the situation by proposing that the constitution drawn up by that Government be accepted by Congress. The Free State party found able champions in Seward, Chase, Sumner, Hale, Trumbull, Harlan, and Wilson. On May 19 Sumner delivered a speech in the Senate entitled "The Crime against Kansas," in which he used all his tremendous power of invective against the South

¹ Smith, *Parties and Slavery*, p. 149.

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and its leaders, particularly Senator Butler of South Carolina. Two days later he was brutally attacked in his office by Preston Brooks, a member of the House from South Carolina and a relative of Butler. The caning Brooks gave Sumner made him insensible, and he did not fully recover from it for more than three years. This event produced a tremendous sensation in both the North and the South. Brooks resigned from Congress, but was triumphantly re-elected. His action was highly acclaimed by his compatriots as one fittingly taken against a man cowardly enough to use his Senatorial prerogative to assail a Southern gentleman in such a vituperative manner. The deed and its approval by the South was looked upon with horror in the North, and did more than any Abolitionist propaganda to stir up hatred of the South and its institution of slavery.

In the meantime civil war between the rival factions in Kansas had broken out. The pro-slavery men, acting on a very slight pretext, entered Lawrence, a 'free' town, destroyed the hotel and newspaper offices, sacked the stores, and looted some of the houses. This, combined with the attack on Sumner, aroused the anti-slavery feeling in the North to fever-pitch. The attack on Lawrence was avenged by the unwarranted murder of five pro-slavery men of Ossawatimie by the fanatical John Brown. This was the signal for the outbreak of an irregular warfare between the two parties, which cost 'bleeding Kansas' more than two hundred lives, a state of affairs largely due to the indecision of Governor Shannon, who had succeeded Reeder. His inefficiency compelled Pierce to remove him. He was succeeded by Governor Geary, who quieted the struggling factions chiefly at the expense of the pro-slavery party. Feeling that he was not properly supported by President Pierce, he resigned his position on March 4, 1857, the same day that President Buchanan was inaugurated.

Buchanan determined to adopt a very impartial attitude toward Kansas. He decided to appoint a governor and register the voters, who should elect a convention, which in time should draw up a constitution and submit it to the

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electors. He said: "On the question of submitting the institution to the *bona-fide* resident settlers of Kansas, I am willing to stand or fall." The governor he selected was Robert J. Walker, of Mississippi, an upright and fearless man, who determined to submerge his pro-slavery sentiments in the impartial fulfilment of his duties. Before he took up the reins of government the pro-slavery party of Kansas had chosen June 15, 1857, as the date for holding the constitutional convention, and had so arranged the districts that the control of the convention would be in the hands of its supporters, although these were by this time in a minority.

The constitutional convention met at Lecompton in September 1857 and determined upon a bold and unprincipled course to force slavery upon Kansas. Southerners urged them to draw up a constitution protecting slavery and not present it to the voters. They did not dare to go thus far, but they adopted the old Napoleonic device of presenting a constitution which should be adopted with or without slavery. This assured the adoption of the constitution itself. In it was inserted a provision which stated that slaves could not be emancipated without the owner's consent, and that their entrance into the state could not be prohibited. Thus, if the constitution were adopted without slavery, slavery would still be legal. As this was not in accord with Buchanan's plan of impartiality, Governor Walker, thoroughly exasperated, returned to Washington and placed the matter before the President. Buchanan was in a serious dilemma. Should he support Walker and his pledges, or should he follow the advice of the Radical Southern leaders like Jefferson Davis and accept the Lecompton constitution? He determined to do the latter, and thereby he disrupted his own party and gave the 'dying' Republican party a new lease of life.

The disruption in the party was caused by the opposition of Douglas to the Lecompton constitution. He maintained in the Senate that the people had the right to reject or accept the entire constitution, and that the doctrine of popular sovereignty granted to the people of Kansas the right to decide on all their domestic questions. While the question

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was being discussed in the Senate and throughout the country the referendum on the constitution was held in Kansas on December 21, 1857, with the result that it was adopted by an overwhelming vote. The Free State party abstained from voting and held a vote of their own on January 4, 1858, and rejected the constitution almost unanimously.

Buchanan submitted the Lecompton constitution to Congress on February 2, 1858, and recommended that Kansas be admitted with slavery. Despite the opposition of Douglas, the Senate voted to admit Kansas with the Lecompton constitution on March 23 by a vote of 33 to 25. In the House an amendment was added providing for the resubmission of the constitution to the voters. Not being in a position to let this amendment kill the Bill, a compromise measure was arranged whereby the constitution was to be resubmitted to the people of Kansas, although a bribe and a threat were added with the hope of compelling the Kansans to accept the pro-slavery document. This they decisively refused to do in an election held on August 2, 1858, thereby proclaiming that they preferred to remain a territory rather than accept the institution of slavery. This ended the Kansas question proper, but the breach it made in the ranks of the Democratic party remained unimpaired in the elections of 1858 and 1860. Kansas came into the Union as a free state in 1861.

THE RISE OF THE REPUBLICAN PARTY

The Kansas-Nebraska Bill caused a radical shake-up in the political parties of the country. The Whig party was split into Northern and Southern Whigs on the slavery issue. The former branch was largely absorbed by the Free Soiler and the anti-slavery Democrats, while the latter went over ultimately to the pro-slavery Southern Democrats. The various groups of anti-slavery men in the North floundered for a long time without leaders and with scarcely a platform, until they were finally consolidated with the new Republican party. In the North-west, where the Whigs were never very strong, the anti-slavery spirit engendered by the Kansas-Nebraska Bill led to the meeting of all the opposition groups

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in Michigan in the summer of 1854. Here Whigs, Free Soilers, and anti-Nebraska Democrats formed a coalition party and adopted the name 'Republican.' Their platform was very radical, denouncing slavery in most decisive tones. The action of this group in Michigan was rapidly followed by similar groups in many other Western states.

The Republican party did not spread very rapidly at first in the Eastern states, largely because the old conservative Whigs, who loved the Union more than they hated slavery, feared the new Radical movement, and because Senator Seward of New York, the leader of the anti-slavery Whigs, did not care to leave the Whig organization and cast his future with a new party which might be of only a temporary nature. The hesitancy of the Whigs and the rapid growth of the Republican movement in the West were completely eclipsed by the occurrence of one of the strangest movements in the history of American political parties. This was the 'Know Nothing' movement, a secret political organization, which was against Catholics and foreigners. As it was denounced by Douglas, it naturally drew anti-Nebraska men into its fold. It spread like wildfire, without organizers, canvassers, or well-known leaders. In 1854 it secured a huge vote in New York, Pennsylvania, and Massachusetts, carrying the last state in the local elections. In 1855 it carried Connecticut, New Hampshire, and Rhode Island, and stated that it had more than a million members. After these elections it abandoned the secrecy that had shrouded it, and the nation realized that the 'Know Nothings' were merely the old Whigs disguised. When this movement became unmasked the political leaders realized that the chances of its becoming the vehicle of the anti-slavery forces were absolutely negligible.

The Presidential nominating conventions of 1856 were of extreme importance in the contest over slavery. The Northern Whigs and Democrats were very anxious to have the Kansas question settled so that the Republican party would go out of existence, because its main issue would be gone. The Southern Democrats and the Southern Whigs, who had become affiliated with them, were desirous of placating the North by

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nominating an available candidate, one who favoured the Southern views, but who was not necessarily *persona non grata* to the North. The Democratic convention met at Cincinnati on June 2. The entire tone of the convention was one of caution. The Democrats knew that they could carry the election provided they did not nominate some well-known states-rights, pro-slavery candidate. For this reason they refused to renominate Pierce or to select Douglas. These men had been too prominently associated with 'bleeding Kansas' to get the necessary support of the North. Consequently they chose James Buchanan of Pennsylvania on the seventeenth ballot. He had been abroad at the Court of St James's during the Kansas struggle and had not publicly stated his position on the question. Breckinridge of Kentucky was chosen as his 'running mate.' The platform was thoroughly Democratic and contained the statement that the Kansas-Nebraska Bill, with its principle of popular sovereignty, was the only safe and sound solution of the slavery issue. The 'Know Nothing' party met in New York City on the same day and nominated Banks of Massachusetts on a platform republican in character.

The regular Republican convention met in Philadelphia on June 17. An earlier meeting had been held in Pittsburg on February 22 for the purpose of organizing a national party. At this meeting the extension of slavery in the territories was denounced, and the admission of Kansas into the Union as a free state demanded. The June convention was faced with the problem of nominating a man who was anti-slavery, but nevertheless acceptable to all the various elements that composed the party. This automatically excluded Chase, who was unpopular with the Whigs, Wade and Seward, who were unpopular with the Democrats and 'Know Nothings,' and Banks, the 'Know Nothing' candidate, who had been too recently recruited from the Democratic ranks. The man finally selected was John C. Frémont, who was little known except for his spectacular career in California. W. L. Dayton of New Jersey was nominated for Vice-President, defeating Abraham Lincoln, the Western candidate. The



HARRIET BEECHER STOWE
From an original lithograph by J. Jones

FREEMEN AWAKE!

Would you obtain the URGENT EFFORTS, TRANQUILITY
AND CHRISTIAN FEELING IN YOUR RESPECTIVE CHURCHES AND CON-
GREGATIONS, AND ACHIEVE PEACE AND HAPPINESS
AROUND YOUR DOMESTIC AFFAIRS?

THEN

"TO THE RESCUE!"

(and defeat the
revolutionary
scheme of a
deceitful gang
of hypocrites,

THE
DEVIL
IS IN THE
CAMP!

draining leaders
and dark-hearted,
spring-worms
nation de-
stroyers)

AND MAINTAIN YOUR POSITION

"AND INDIGNANTLY PROVE UPON THE FIRST PAWING OF EVERY ATTEMPT
TO ALIENATE ANY PORTION OF OUR COUNTRY FROM THE RIGHT,
OR TO ENFORCE THE SACRILEGIOUS WHISKY LAW
UPON A GENTLE AND HARMLESS PEOPLE."

PHILADELPHIA

1839

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platform was almost entirely based on the Kansas question, declaring that Congress could not establish slavery, but should abolish it, in the territories. It demanded the admission of Kansas into the Union under the Topeka constitution. In September ex-president Fillmore was nominated by a Whig national convention on a thoroughly conservative Whig platform.

Between the time the conventions met and the elections were held the civil strife in Kansas was waged. This guerrilla warfare supplied the Republican orators with most of their campaign material, and no Republican meeting was complete without a ringing reference to 'bleeding Kansas.' This Kansas issue had a tendency to make the election a purely sectional one. The anti-slavery men gradually came into the Republican fold. Banks, the 'Know Nothing' candidate, withdrew and carried the bulk of his party over to the Republicans. It seemed as though Frémont and Dayton were going to sweep the entire North and West and that Buchanan was destined merely to carry the South. The popular feeling in favour of the Republicans was greatly augmented by the appearance of a book by Mrs Harriet Beecher Stowe entitled *Uncle Tom's Cabin*, which was a portrayal of the worst features of the slavery system in the South. Although the Southerners vehemently denied that it represented conditions in their section, thousands of Northerners nevertheless were only too willing to accept it at its face value and to speak in horrible tones of the atrocities that were committed every day on the poor unfortunate negro slaves. Their onward march was stopped, however, by the threat of disunion which came from the South in ever-increasing volume. Southern leaders openly predicted that the election of Frémont meant the end of the Union. Although the Republicans made light of this threat, it had a strong influence in the North, and the Buchanan Democrats and the Fillmore Whigs redoubled their efforts to stem the tide of Republican growth. Buchanan reiterated again and again that if he were elected he would see to it that a fair vote should be held in Kansas to determine the status of slavery there.

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The strenuous campaign continued unabated until election day, with the result in doubt. When the vote was counted it was found that Buchanan had received 174 electoral votes, Frémont 114, and Fillmore 8 (Maryland). Buchanan carried the solid South and Pennsylvania, New Jersey, Indiana, Illinois, and California. His opponents had more than 400,000 more popular votes than he had received. A feeling of relief and quietude spread over the country. Geary's rule in Kansas restored peace there, and every one awaited the execution of Buchanan's announced attitude of impartiality toward Kansas. The main issue on which the Republicans entered the election of 1856 was decided against them, and it seemed as though there was no reason for them to remain in existence any longer.

The failure of Buchanan to live up to his party's pledge with regard to Kansas unloosed again the furies of party struggle. The Republicans took up the Lecompton constitution question and rallied their rapidly dying organization by denouncing its unfairness, and, with the unexpected help received from the split between Douglas and the administration, reorganized on a firmer basis than ever and faced the election of 1860 with fair prospects of success.

THE DRED SCOTT DECISION **TITLE**

The compromise of 1850 provided that any dispute arising over the ownership of slaves or involving personal freedom in the territories of Utah and New Mexico should be brought to the Supreme Court of the United States immediately for adjudication. Up to the time of the Dred Scott decision no case had been brought before the tribunal. During the decade from 1850 to 1860 the Supreme Court, which was composed of a majority of strong states-rights men, had been busy deciding cases arising from the tremendous expansion movement in the business and commercial world, and had not been called upon to settle any question which would fundamentally affect the powers of the national Government or its relations with the state Government. Throughout the entire country the Court was held in the

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highest esteem, being regarded as the last word in integrity, ability, and impartiality. It was only natural that, during the slavery struggle, in which the question of the constitutionality of the Missouri Compromise and the Kansas-Nebraska Bill was constantly debated, the controversy should come before the highest court in the land. The case of Dred Scott, a negro slave, finally brought the question into the jurisdiction of the Court, and the opinion of the Court that Congress could not restrict slavery in the territories lighted the fires of civil war, that were not quenched until the thirst of Mars was satisfied.

Dred Scott, a negro slave belonging to an army surgeon stationed at Missouri, was taken by his master to Illinois and Minnesota and then back to Missouri after a period of more than two years' residence in free territory. Slavery had been prohibited in Illinois by the provisions of the North-west Ordinance of 1787, and in Minnesota by the Missouri Compromise of 1820. After the death of his master, and several years after his return from Minnesota, Scott sued his mistress in the state courts of Missouri for his freedom, alleging that his sojourn in free territory had emancipated him. The highest court in that state decided against him on the ground that he was not a citizen, and therefore could not sue in the courts. In the meantime he was sold to a citizen of New York, by the name of Sanford, who hired him out for service in Missouri.

This enabled his supporters, who were really trying the case for him, to bring up the matter in the Federal circuit court.¹ His plea there was that he had become free by his residence in free territory, and that his return to slave territory did not re-enslave him. He cited the Missouri Compromise as the basis for his claim. The defence denied the first assertion and declared the Missouri Compromise unconstitutional. The circuit decided against Scott, upholding the decision of the Missouri court on the ground that it was the custom for Federal courts to follow the decision of state

¹ The Constitution provides that the cases of citizens of two different states shall be tried in the Federal courts.

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courts in such cases of personal freedom. Upon appeal to the Supreme Court it was expected that the only decision that body could render was one sustaining the circuit court. If Chief Justice Taney and his associates had rendered the only obvious decision the case of Dred Scott would have been of relative unimportance. The question before the Court had absolutely nothing to do with the status of a slave or the constitutionality of the Missouri Compromise, but dealt with the jurisdiction of the Court only.

Undoubtedly the Court should have stayed within the confines of its powers, but Judge Wayne of Georgia and other influential Democrats, flushed with the victory of 1856, urged the Court to waive the limitations of the case and decide the entire slavery question once and for all. This was done, and the famous Dred Scott decision was delivered on March 6, 1857. The decision was in no way unanimous, but Taney's opinion represented the views of the majority. It took up the questions, Was Scott a citizen? and, Was the Missouri Compromise constitutional? In reality the whole history of slavery under the Constitution was discussed, and the conclusions reached were in thorough accord with the most radical Southern doctrines. Taney maintained that Scott was not a citizen of the United States, since citizenship was determined by the state of residence, and if he were not a citizen in Missouri he could not be a citizen of the United States. He claimed that the Constitution was intended for the white race only, and that negroes were "so inferior that they had no rights which the white man was bound to respect."¹ Therefore Scott could not sue in the courts of the United States. The Missouri Compromise was unconstitutional, according to Taney, because the clause in the Constitution which says "Congress shall have power to dispose of and make all needful rules and regulations respecting the territory . . . [of] the United States"² applied only to those territories in the possession of the United States at the time the Constitution was adopted. Future territories were

¹ Tyler, *Memoir of Taney*.

² Article IV, Section 3.

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held by the United States as "representative and trustee" of the states. Since slaves were recognized by the Constitution as property, and Congress could not discriminate between the property of the various states, it could not prohibit slavery in the territories. Judges Curtis and McLean strongly dissented from the majority opinion, claiming that several states had recognized negroes as citizens, and that the power of Congress over the territories did apply to all acquisitions since the adoption of the Constitution.

This attempt on the part of the Court to settle the slavery dispute was an absolute failure. Those who believed in the pro-slavery doctrine loudly applauded the majority opinion; those who believed in the anti-slavery doctrine said that the dissenting opinion of Curtis and McLean was the correct one. The Dred Scott decision nullified the Compromises of 1820 and 1850 and the popular sovereignty of Douglas. It was diametrically opposed to the Republican principles, and gave them a clear-cut issue for 1860. Taney's *obiter dictum*, the indignation caused by the Lecompton constitution fraud, and a small financial panic in 1857 shook the Buchanan administration to its very roots and drove wavering voters into the ranks of the Republican party.

THE LINCOLN-DOUGLAS DEBATES

The breach between Douglas and the Buchanan administration led many Republicans to believe that their party should enlist the services of the former in their behalf. With this end in view, Horace Greeley, of the *New York Tribune*, and other prominent Republican leaders, suggested that his re-election to the Senate from Illinois in 1858 should not be contested. Chase and other Western Republicans were opposed to this on the ground that while Douglas was opposed to the manner in which his theory was put into effect in Kansas, he still believed in the principle itself. The Westerners prevailed, and Abraham Lincoln was nominated by the Republicans to contest Douglas's seat.

A series of joint debates between the two candidates was arranged at the suggestion of Lincoln. The discussions

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aroused a tremendous amount of enthusiasm, and the speakers were everywhere greeted by great masses of people, who applauded vociferously the statements of their respective champions. The effect of the debates was far-reaching. The fate of Douglas in the election of 1860 was practically sealed, and the South was compelled to realize that the only way to extend the institution of slavery was by secession. The North began to see the true meaning of the slavery problem, which was clearly enunciated by Lincoln. Lincoln's powerful logic and his practical defeat of the foremost American debater made him a potential candidate for the Republicans in the crucial election of 1860. The debates also showed the Eastern Republican leaders that there was no common ground between the principles of the Republicans and those of Douglas.

Lincoln in one of his speeches said: "A house divided against itself cannot stand. I believe this Government cannot endure permanently half slave and half free. I do not expect the union to be dissolved, I do not expect the house to fall, but I do expect it will cease to be divided. It will become all one thing or all the other. Either the opponents of slavery will arrest the further spread of it and place it where the public mind shall rest in the belief that it is in the course of ultimate extinction, or its advocates will push it forward until it shall become alike lawful in all the states, old as well as new, north as well as south."¹ Douglas attacked these statements as the ravings of an Abolitionist and an enemy of the Union, but Lincoln stuck to them throughout, and probably gained far more supporters as a result of them than he lost.

The crucial debate was held at Freeport. Here Lincoln put into effect his scheme to kill Douglas as the candidate of the South. He asked Douglas: "Can the people of a United States territory, in any lawful way, against the wish of any citizen of the United States, exclude slavery from its limits prior to the formation of a state constitution?" He asked him further whether a territorial legislature, the creation

¹ Nicolay and Hay, *Abraham Lincoln*.

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of Congress, could exclude slavery, something which Congress, the creator, was unable to do under the Dred Scott decision. These questions placed Douglas in the dilemma of having either to give up the popular sovereignty theory or the Dred Scott decision, both of which he claimed to believe in, although Lincoln showed them to be incompatible. Douglas wriggled out of a tight corner by the enunciation of the famous 'Freeport Doctrine,' which maintained that slavery could not exist without favourable police regulations, and therefore if any territory did not wish for slavery the failure to protect it would kill it. "Hence no matter what the decisions of the Supreme Court may be on that abstract question, still the right of the people to make a slave territory or a free territory is perfect and complete under the Nebraska Bill." This doctrine, unsupported by law or reason, won the day for Douglas in the Illinois senatorial contest, but it caused the loss of the support of the South, who were looking for a candidate who stood unequivocally for the principle that the extension of slavery in the territories could not be checked in any manner whatsoever.

JOHN BROWN'S RAID

This Title

In October 1859 occurred an event which roused the feelings of the South to fever-pitch against the anti-slavery men of the North. This was John Brown's raid at Harper's Ferry, Virginia. John Brown, who has been mentioned before in connexion with the murder of five pro-slavery men at Ossawatimie, Kansas, was a religious fanatic who firmly believed that he was selected by God to lead the slaves of the South to freedom. This idea was the motive that caused him to go to Kansas, where he became the lawless and feared leader of the anti-slavery men in the struggle for 'bleeding Kansas.' In January 1859 he removed to a farm near Harper's Ferry, Virginia, where (with the knowledge and consent of a few Northern Abolitionist leaders) he plotted the forcible liberation of the slaves of the South by provoking a general insurrection.¹ On October 17 he seized the United

¹ Wilson, *Division and Reunion*, p. 203.

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States arsenal at Harper's Ferry with the aid of eighteen men. He freed some negroes and captured some white men and hoped to get into the fastness of the Appalachians before he was attacked. He was unsuccessful in his plan, however, being forced to surrender to United States soldiers sent from Washington. After a trial in which he was accused of murder, treason, and conspiring with negroes to produce insurrection, he was hanged on December 2, 1859. He showed great fortitude throughout the entire proceedings, and was hailed as a martyr by many Northerners. The South, to whom the fear of a revolting massacre was ever present, condemned the entire North as backing John Brown's mad scheme. The majority of the Northerners condemned the rash movement, but as the Southerners made no distinction between the Abolitionists and the anti-slavery men of the North, they indicted that entire section, and cited John Brown's raid as an attempt to crush slavery by fair means or foul.

CHAPTER II

A DIVIDED NATION

THE sectional feeling which had been crystallized by the Kansas-Nebraska Bill, the struggle for Kansas, the Dred Scott decision, and John Brown's raid gave vent to all its furies in the Congress which met on December 5, 1859. In the House a bitter and long-drawn-out struggle ensued over the selection of the Speaker. It was not until February 1860 that Pennington, a conservative Republican, was finally elected. Throughout the discussion the House was in turmoil, fighting was narrowly averted, and many of the members carried revolvers or knives. The newspapers of the North and South took up the question of the Speakership with partisan bias, the South particularly maintaining that no man who believed in the non-extension of slavery should be elected. Two excerpts from speeches of prominent members of the House will serve to show the temper of the two sections. Crawford of Georgia said on December 15, 1859: "To talk of the settlement of this slavery question is folly; to talk of a compromise upon this subject is worse than folly. . . . This question has resolved itself at last into a question of slavery and disunion, or no slavery and union. . . . I have this to say, and I speak the sentiment of every Democrat on this floor from the state of Georgia: we will never submit to the inauguration of a 'Black Republican' president." Hickman of Pennsylvania said a little later: "The North will never tolerate a division of the territory. . . . I am neither a prophet nor the son of a prophet, but I express my belief that there is as much true courage in the North . . . as there is in the South. . . . I believe that with all the appliances of art to assist, eighteen millions of men, reared to industry, with habits of the right

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kind, will always be able to cope successfully, if need be, with eight millions of men without these auxiliaries."

The spirit in the Senate was about the same. Threats of disunion on the part of the Southern leaders were of daily occurrence. Toombs of Georgia said on one occasion: "Never permit this federal Government to pass into the traitorous hands of the 'Black Republican' party. It has already declared against you and your institutions. It every day commits acts of war against you; it has already compelled you to arm in your defense. . . . Defend yourselves, the enemy is at your door; wait not to meet him at the hearthstone—meet him at the doorsill and drive him from the temple of liberty, or pull down its pillars and involve him in a common ruin." Although the Democratic party was in control in the Senate it was split by internal dissension into two factions, one led by Douglas and the other by Jefferson Davis, who represented the radical Southerners' point of view. It was evident that there was going to be a struggle in 1860 between these two factions for the control of the Democratic convention. "To bring out this internal division of the party, Jefferson Davis, between February 2 and March 1, 1860, submitted a series of resolutions, the first and second of which were substantially the state-sovereignty doctrine of Calhoun; the third affirmed it to be the duty of the Senate, 'which represents the states in their sovereign capacity,' to resist all attempts to discriminate as to persons or property in the territories; the fourth attacked Douglas and the Freeport doctrine, by declaring that 'neither Congress nor a territorial legislature, by direct or indirect legislation, has the power to annul or impair the constitutional right of any citizen, to take his slave property into the common territories, and there, hold and enjoy the same while the territorial condition remains'; the fifth made it the duty of Congress to supply remedies, if adequate protection should not otherwise be afforded; the sixth provided that the inhabitants of a territory, when admitted as a state, might decide whether to have slavery or not; the seventh demanded that the constitutional provision as to fugitive

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slaves and the laws made to secure its execution should be honestly and faithfully observed and maintained by all, and that all acts of individuals or state legislatures to defeat or nullify these were 'hostile in character, subversive of the constitution and revolutionary in effect.'"¹ Davis's resolutions were an ultimatum to Douglas that he must either support them or lose the support of the Southern Democrats in the coming election.

The issue was clearly joined when Abraham Lincoln, the champion of the Republican party in the West, delivered a speech in Cooper Union, New York City, on February 27, 1860. There is little doubt that this speech had a considerable influence on his selection as the Republican candidate in 1860. He brought out clearly and distinctly the power of Congress to control slavery in the territories, pointing out that the Southerners had recognized this principle when they voted for the Compromises of 1820 and 1850. He said that the Republicans had absolutely nothing to do with John Brown's raid and that the statement that the election of a Republican President would bring on disunion was all imagination on the part of the Southerners. His final sentence was pregnant with meaning. "Let us have faith that right makes might and in that faith let us to the end dare to do our duty as we understand it."

With this strong flood of sectionalism rising higher and higher day by day, the party conventions of 1860 were held. The first one was the Democratic convention, which met on April 23, 1860, at Charleston, South Carolina. The majority of the committee on resolutions reported in favour of the adoption of the Davis resolutions mentioned above as a basis of a platform for 1860. The minority presented a report which contained the principles of Douglas. The minority report was adopted by a vote of 165 to 138. This was the signal for the Alabama delegation, headed by William L. Yancey, an ardent secessionist, to withdraw from the convention. The action of the Alabama delegates was followed by a majority of those from South Carolina, Arkansas,

¹ Chadwick, *Causes of the Civil War*, pp. 99-101.

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Louisiana, Florida, and Georgia. After fifty-seven ballots the 'rump' convention, being unable to select a candidate, adjourned until June 18, when it was to meet in Baltimore. When the convention again met in Baltimore Douglas was chosen on the second ballot. The Southern seceders met in the same city ten days later and nominated John C. Breckinridge of Kentucky for the Presidency and adopted the majority report of the Charleston convention for its platform.

On May 5 delegates from the Constitutional Union party met in Baltimore and nominated Bell of Tennessee and Everett of Massachusetts. This party was composed of the old conservative Whigs and the remainder of the 'Know Nothing' and American parties. The keynote of its platform was "no political principles other than the constitution of the country, the union of the states, and the enforcement of the laws."

The Republican convention met on May 16 in Chicago, and proceeded to adopt a platform before a candidate was selected. The significant feature of this platform was a 'plank' which read: "That the normal condition of all the territory of the United States is that of freedom; that as our Republican fathers, when they had abolished slavery in all our national territory, ordained that no person should be deprived of life, liberty, or property without due process of law, it becomes our duty by legislation whenever such legislation is necessary, to maintain this provision of the Constitution against all attempts to violate it; and we deny the authority of Congress, of a territorial legislature, or of individuals to give legal assistance to slavery in any territory of the United States."¹ The platform also denounced the Buchanan administration, demanded the admission of Kansas as a free state, repudiated Taney and his Dred Scott decision, recommended a protective tariff policy, and asked for Federal aid in the construction of a railroad to the Pacific.

When the time came to select a candidate the names of Seward, Chase, Lincoln, and Bates were those most prominently mentioned. Seward and Chase were unavailable because they did not have the united support of the party. On the third

¹ McKee, *National Conventions and Platforms*.

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ballot Lincoln was chosen, and his selection was made unanimous. His 'running mate' was Hannibal Hamlin of Maine. The Easterners, who supported Seward, were considerably surprised at this choice, looking upon Lincoln as the uncouth 'railsplitter.' The South, overlooking Lincoln's comparative conservatism, looked upon him as "one of the monsters of depravity who had declared that war must be made on slavery."¹

The election was held on November 6, 1860, after a campaign of comparative quietness. Douglas, realizing that he could not be elected because of the split in his party, cancelled his Western speaking tour and went to the South, where, in a series of speeches, he denounced the secessionist movement and demanded the support of the Union. Douglas's patriotism in this crisis is to be highly commended, and it did much to wipe away the earlier criticism of him. Seward, overcoming his pique over the selection of Lincoln by the Republican convention, supported him to the fullest extent of his powers in the campaign. When the vote was counted it showed that 4,682,069 votes had been cast, of which Lincoln had obtained 1,866,452, Douglas 1,376,957, Breckinridge 849,781, and Bell 588,879. Of the electoral votes Lincoln received 180, Douglas 12, Bell 39, and Breckinridge 72. These figures are very significant. The combined opposition to Lincoln was 2,815,617, or about 60 per cent. of the entire vote cast. The fact that the combined vote in the South for Bell and Douglas, both supporters of the Union, was 134,877 greater than that for Breckinridge shows that a majority of the voters in the slave states believed in the preservation of the Union.

SECESSION AND THE SOUTHERN CONFEDERACY

Just as South Carolina had taken the lead in the nullification movement against the tariff in 1832, so she now took the lead in the secession movement. The legislature, which had been in session to select the Presidential electors, upon hearing of Lincoln's election passed a measure on

¹ Chadwick, *Causes of the Civil War*, pp. 119-120.

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November 12, 1860, providing for the election of delegates on December 6 to a convention to be held on December 17. The convention met and unanimously passed the following ordinance of secession on December 20 at 1.15 P.M.: "We, the people of the state of South Carolina in convention assembled, do declare and ordain and it is hereby declared and ordained that the ordinance adopted by us in convention on the twenty-third of May, in the year of our Lord seventeen hundred and eighty-eight, whereby the Constitution of the United States was ratified, and all the acts and parts of acts of the general assembly of this state ratifying amendments of the said Constitution, are hereby repealed, and the union now subsisting between South Carolina and the other states, under the name of the United States of America, is hereby dissolved."¹

The secession ordinance was received with enthusiasm by the South Carolinans, who expressed themselves as thoroughly satisfied with their new sovereign position. The action of South Carolina was followed by similar action in Mississippi, Florida, Alabama, Louisiana, Georgia, and Texas, although in each one of these states there was a strong Unionist movement. All of them, with the exception of Texas, which had not as yet seceded, met at a convention held in Montgomery, Alabama, on February 4, 1861, and organized a new Government, the Confederate States of America. Jefferson Davis of Mississippi was chosen President, and Alexander H. Stephens of Georgia Vice-President. A constitution was drawn up which was very similar to that of the United States, with the exceptions of the provisions sanctioning slavery, forbidding a protective tariff, permitting Cabinet officers to speak on the floor of Congress, and limiting the President to one term of office. The President was authorized to raise an army of 100,000 men and a loan of \$15,000,000.

There appears to be no justification for the secession of the Southern states merely because of the election of Lincoln. He had repeatedly stated that he would not interfere with slavery where it had legal sanction and that he believed in

¹ Hart, *American History told by Contemporaries*, vol. iv, p. 185.

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the enforcing of the Fugitive Slave Act of 1850. Stephens, Vice-President of the new Confederacy, summed up the view that the South should have taken, according to many authorities, when he said: "Do not let us break it [the Constitution] because, forsooth, he [Lincoln] may. . . . The President of the United States is no emperor, no dictator,—he is clothed with no absolute power. He can do nothing unless backed by power in Congress. The House of Representatives is largely in the majority against him. . . . In the Senate he will also be powerless. . . . Why, then, I say, should we disrupt the ties of this union, when his hands are tied—when he can do nothing against us?"

During this crisis President Buchanan, weak and vacillating, and under the control of the secessionist members of his Cabinet, did nothing to arrest the dismemberment of the Union. In his message of December 4, 1860, he stated that he did not believe that a state had a right to secede from the Union. He offset the force of this statement, however, by the opinion that if a state should secede he did not believe that the United States Government had the authority to compel it to remain in the Union. He made no effort to stop the seizure of United States property and munitions of war in the Southern states, although it was constantly brought to his attention that Floyd, his Secretary of War, was continually removing military stores and supplies from the North to the South. His indecisive action caused the Southerners to despise him and to hope that his pusillanimity would permit them peacefully to secede from the Union.

The second session of the thirty-sixth Congress, which sat from December 3, 1860, until March 4, 1861, instead of making provisions for the inevitable conflict that would break out at any moment, spent practically all its time in attempting to make a compromise measure that would satisfy both sections. Both the House and the Senate created committees for the purpose of placating the North and the South. In the Senate Crittenden of Tennessee proposed a series of unamendable and irrevocable amendments,

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comprising the restoration of the 36° 30' line, the denial of the right of Congress to interfere with slavery in the Southern states or the District of Columbia, the non-interference with the domestic slave-trade, and the payment by Congress for slaves lost to the South through the non-enforcement of the Fugitive Slave Law. The Republican leaders were practically all opposed to any compromise whatsoever, the President-elect, Lincoln, writing in connexion with the Crittenden measures: "Entertain no proposition for a compromise in regard to the extension of slavery. . . . The tug has to come, and better now than later." Lincoln clearly saw that if the Republican party were to continue to exist at all it must firmly oppose any further extension of slavery.

There have been many arguments *pro* and *con* over the right of the South to secede. Davis and Stephens both claimed that the ensuing civil war was not caused by the slavery issue, but by the denial of the central Government of those constitutional rights which the Southern states possessed. As Muzzey says, "It was not a case of the north's refusing to *give* the south its constitutional rights but of the north's denying that such [the extension of slavery in the territories] *was* the constitutional right of the south. It was a conflict in the interpretation of the constitution; and slavery *alone* was the cause of that conflict."¹ The right of revolution is one of those unalienable laws which all the nations of the world perforce must recognize. If the South felt that she had sufficient reasons to revolt she was justified in doing so.

In the midst of a divided Union, a disorganized Government at Washington, and a nation-wide feeling of suspense the inauguration of Lincoln occurred. Douglas, the author of the Kansas-Nebraska Bill, held Lincoln's hat while he delivered his inaugural address, and Taney, who rendered the Dred Scott decision, administered the oath of office. His inaugural address was pregnant with the power and force of character of this homely, self-educated, and religious man. The entire country understood his meaning when he said:

¹ Muzzey, *American History*, revised ed., p. 330.

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“The power confided in me will be used to hold, occupy, and possess the property and places belonging to the Government, and to collect the duties and imports; but beyond what may be necessary for these objects, there will be no invasion, no using of force against or among the people anywhere.” He said he was willing to accept an irrevocable amendment to the Constitution providing for non-interference with slavery in the Southern states. His final words were addressed to the Southerners. “In *your* hands, my dissatisfied fellow countrymen, and not in *mine*, is the momentous issue of civil war. The Government will not assail *you*. You can have no conflict without being yourselves the aggressors. *You* have no oath registered in heaven to destroy the Government, while I shall have the most solemn one to preserve, protect, and defend it.”

The situation in Charleston Harbour demanded immediate attention, and Lincoln called a meeting of his Cabinet¹ a few days later to discuss it. Fort Sumter, in that harbour, was one of the few remaining forts in the South in the possession of the Federal Government. Buchanan had promised the South Carolinians that no attempt would be made by him to send provisions or reinforcements to the fort. A change of mind caused him to send, in January 1861, the *Star of the West*, an army transport, with provisions for the garrison, which was under the command of Major Anderson. This vessel was fired upon by the Southerners and compelled to turn back. Buchanan did absolutely nothing to wipe out this insult to the flag, and the South took it as the occasion to reinforce the batteries in the harbour. The moment was a critical one for Lincoln. He realized that to attempt to provision the fort would be a signal for the outbreak of hostilities. A majority of the members of his Cabinet were opposed to it, as were many of the influential members of the party. Lincoln, however, felt that his constitutional

¹ President Lincoln's Cabinet consisted of the following men: William H. Seward, Secretary of State; Salmon P. Chase, Treasury; Simon Cameron, War; Gideon Wells, Navy; Cable Smith, Interior; Edwin Bates, Attorney-General; Montgomery Blair, Postmaster-General. Cameron was succeeded by Edward M. Stanton early in 1862.

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duties required him to uphold the Union. Consequently he notified the governor of South Carolina that he would send provisions to the fort, but no men or ammunition would be sent in unless resistance were offered. The Confederate Government ordered General Beauregard to demand the surrender of the fort. Upon the refusal of Major Anderson to comply the fort was bombarded for two days and reduced to ruins. Major Anderson surrendered (April 15, 1861).

The attack on Fort Sumter marks the opening of the Civil War. The day after its surrender President Lincoln called for 75,000 troops of militia from the states of the Union to suppress combinations in the seceding states that were too powerful to be put down by the ordinary processes of the courts. He also ordered these combinations to disperse within twenty days. The call to arms united the North into one consolidated group. Douglas, Pierce, and Buchanan gave Lincoln sincere manifestations of support. Opinion everywhere was unanimous that the Union must be preserved. In the South the call to arms was looked upon as a preparation to invade a sovereign and peaceful nation for the purpose of subjugating the people. Virginia, North Carolina, Arkansas, and Tennessee joined the Confederate States of America, and Missouri and Kentucky almost followed their lead. The secession of Virginia gave the South her greatest general, Robert E. Lee, who had been offered the command of the Union forces by President Lincoln. He felt that he could not fight against his own state, so he resigned his commission in the United States Army. The march of the 75,000 men to Washington was accompanied by riots in the streets of Baltimore. Secessionists tore up the railroad going to Washington, cut the telegraph wires into the city, leaving the inhabitants a prey to the fear that General Beauregard was going to march to Washington from Charleston and take the city. The arrival of militia from New York and Massachusetts by a circuitous route relieved the city of immediate danger.

CHAPTER III

THE CIVIL WAR

FOR the Civil War, or, more properly, War of Secession, that was about to ensue the North was far better prepared than the South. Although the territorial extent of each section was about the same, it supported widely divergent populations. In the nineteen states where slavery was illegal there was a total population of 19,000,000. In the four border states, which remained loyal to the Union, there were, according to the census of 1860, approximately 3,000,000 people. Against this combined population of 22,000,000 the South could offer only 9,000,000, of whom 3,600,000 were negro slaves. These slaves in a sense were a military asset. Although the Southerners did not use them in actual battle, they remained at home and worked on the plantations and produced the foodstuffs and other supplies for the fighters. In the North there were approximately 5,000,000 men between the ages of eighteen and forty-five. The South could muster but 1,500,000 men between these ages. It is a significant fact that the North called upon only 1,566,678 of her fighting men, while the South called upon 1,082,119 of hers.¹ One thing had been evident to Calhoun and his followers in the early stages of the sectional struggle. They believed that if the war had to come the chances of the South for victory would be greater if the crisis came before the disparity in population became too great. The preponderance of population in favour of the North was greatly augmented by the immigration from Europe in the decade preceding the war. The 4,000,000 immigrants (mostly Irish and Germans) who had come to the United States between

¹ Livermore, *Numbers and Losses of the Civil War*.

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1840 and 1860 had settled almost entirely in the free states of the North and North-west. The labour system of the South, based as it was on negro slavery, did not present an inviting prospect to the new settler, and he made his home either where land was abundant or where work and workers were free.

To the South cotton was 'king.' In 1860 the product formed two-thirds of the exports of the country, and the Southern leaders erroneously believed that the North, as well as Europe, was dependent on this crop for its prosperity. The value of the crop in 1860 was \$235,000,000, and the people south of Mason and Dixon's line judged their wealth by its value. This was false economic reasoning, because the vast majority of the Southern whites were in abject poverty, and the wealth was concentrated in the hands of a few great planters. When the effective Northern blockade was established the South was compelled to recognize how much it depended on the products of the North and foreign countries for the real necessities of life, as well as for its luxuries. Cotton was then no longer 'king.' It had to give way to corn and wheat-fields and other necessities which hitherto had been imported. The North far outstripped her adversary in manufacturing and railroad mileage. The South manufactured less than 3 per cent. of her own cotton, and had only about 8000 miles of railroads as compared with 24,000 in the North. The total value of the Northern manufactures in 1860 was \$1,730,330,000, as compared with \$155,000,000 in the South. The \$235,000,000 cotton crop dwindled away to some extent when compared with the \$845,000,000 corn and wheat crops in the North and North-west. The ratio of illiteracy in the South was on an average twelve times greater than in the North. This figure does not include the negro population, which was almost entirely illiterate. One of the strangest phenomena of the war was the manner in which the illiterate whites, commonly called by the negro the "poor white trash," rose almost to a man to defend their states against invasion. The most logical explanation of this was the feeling that the Northerners were

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planning to subjugate them and make the hated negroes their masters.

From the military point of view the South had several advantages over the North, and it hoped that these, together with the aid expected from foreign nations dependent upon its cotton crop, would outweigh the superior resources of the North. In the first place, the South had the tremendous advantage of fighting on its own soil. In the second place, the Southerners' mode of living fitted them better for war. They were accustomed to an outdoor life, usually travelled on horseback, and almost continually carried firearms, in the use of which they were much more proficient than the cosmopolitan group composing the Union forces. The Southerners also had a superior *esprit de corps*. The fact that they were defending their homes and firesides seemed to arouse at once an enthusiasm for the war that was a long time in developing north of Mason and Dixon's line.

Three other sources of aid which the South was depending upon did not materialize. She counted on all the slaveholding states to join immediately the new Confederate States of America. The so-called border states, Maryland, Delaware, Kentucky, and Missouri, disappointed her expectations and for varying reasons remained loyal to the Union. Large portions of some of the seceding states remained loyal, the most notable example being the forty western counties of Virginia, which claimed to be the legal state of Virginia, and were recognized as such by President Lincoln. Accordingly, they separated from the state of Virginia and formed the new loyal state of West Virginia, which was admitted into the Union by Congress in 1863. The hope that the Northern Democrats would oppose Lincoln's attempt to force the Southern states to remain in the Union was shattered when they announced in unmistakable tones their determination to preserve the Republic. The declaration of strict neutrality on the part of Great Britain and France, although there was a good deal of sympathy in both of those countries for the South, dispelled all chances of aid from external sources.

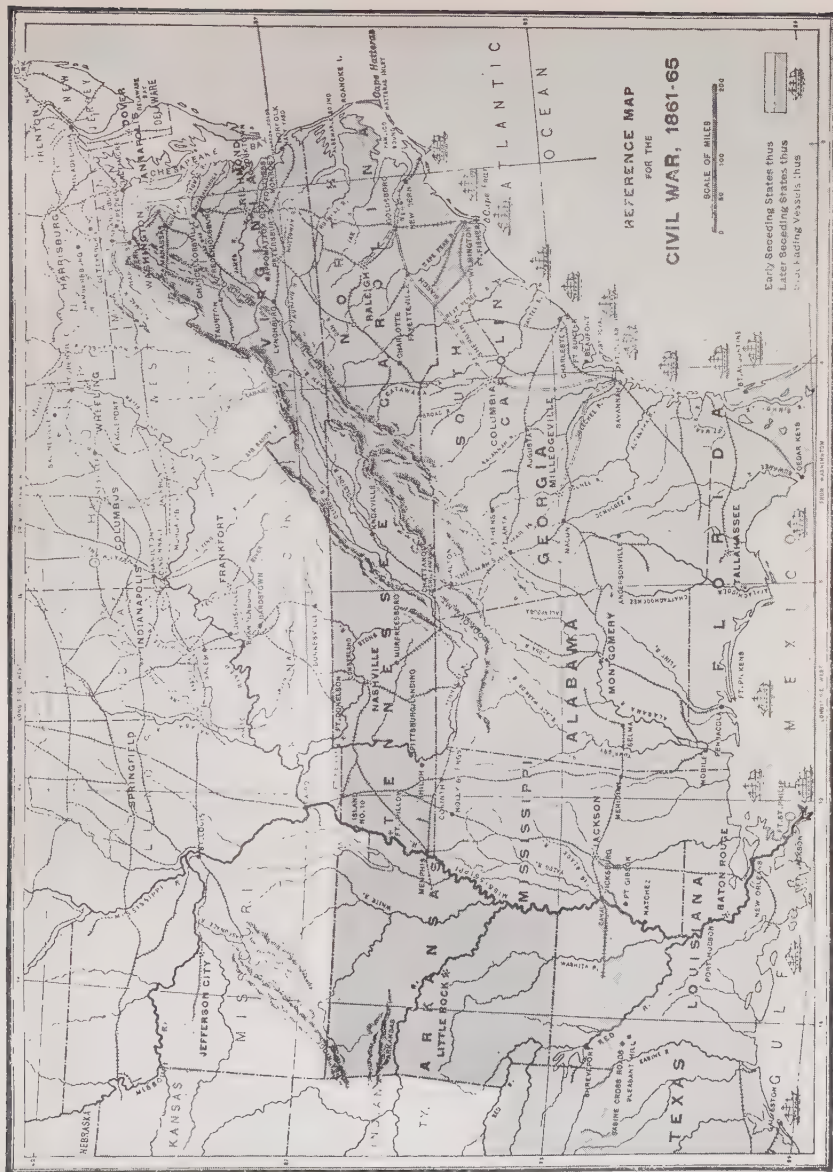
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MILITARY HISTORY OF THE WAR

The problem of the proper method of treating the military history of the War of Secession is a tremendous one. In a work of this kind it is better merely to sketch the war in its broader aspects, because, after all, a strict military history is of interest only to the student of military science. The first Bull Run campaign will be lightly touched upon, and then the Western, Eastern, and naval campaigns discussed. The history of the war period will be finished by a survey of civil affairs and foreign relations during the years 1861 to 1865.

The Bull Run campaign in 1861, while of slight military importance, had a tremendous effect on the two opposing sections of the country. It proved conclusively that a long-drawn-out struggle was inevitable, and that the three months' campaign that had been expected to end the war decisively for one side or the other was the product of the enthusiasm created on both sides for the war. The Confederate Government had removed its capital from Montgomery, Alabama, to Richmond, Virginia, as soon as the latter state had determined to cast its fortunes with the seceding South. This gave rise to the Northern battle-slogan during the first year of the war, "On to Richmond!" The Southern answer was, "On to Washington." Lincoln and his advisers were compelled to yield to popular clamour and to send their raw, unseasoned troops forth in an attempt to take the Southern capital. These troops had signed up for three months' enlistment only. Two Confederate armies stood in the way to Richmond. One, with 22,000 men, under the command of General Beauregard, was stationed at Manassas Junction, on a little stream called Bull Run, about thirty-five miles south-west of Washington. The other, under General Johnston, who had 9000 men, was in the Shenandoah valley, across the Blue Ridge Mountains. The Federal plan of attack was for General Patterson to hold Johnston in check, while General McDowell, with a force of 30,000, was to attack Beauregard. The plan was sound, but its execution faulty. McDowell attacked on July 21, 1861,

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and during the major portion of the day's fighting had the upper hand, compelling the Southerners to fall back. Just when victory seemed secure part of Johnston's army from the Shenandoah arrived and attacked. The raw troops under McDowell were seized with a panic and started a precipitous flight, which did not end until the confused and disordered mob entered Washington. Had the Confederates followed up the retreating army the Union capital would probably have been in their hands, but their army was almost as demoralized as that of their opponents.

THE WESTERN CAMPAIGNS

The northern plan of battle comprised two great campaigns, one east of the Appalachians and one west of them. The plan was for each of these two armies to march into Southern territory, and having swept all resistance before them, to unite somewhere in Georgia, and thus crush the backbone of the seceding states. The army of the West carried out its plan with scarcely a hitch, while the army of the East was held up by Lee in Virginia. The Westerners had completed the assignment by 1864, and were then compelled to come North and help to crush the magnificent resistance of the Southerners before Richmond.

In 1861 the campaign in the West was marked by the driving of Lee from West Virginia by General McClellan, the saving of Missouri to the Union cause by driving the Confederate troops from the state, and the gaining of the control of Kentucky by the victories at Paducah and Cairo. The command of the army of the West was in the hands of General Halleck, with headquarters at St Louis. He was an able commander himself, and had the advantage of having several brilliant officers under his command. Among these was General Ulysses S. Grant. This able and resourceful general had been born in Ohio in 1822, had graduated from West Point, and had served with distinction in the Mexican war. After the close of that war he had a rather chequered career, and when the Civil War broke out he was a clerk in a leather and hardware store in Illinois, and was in very straitened circumstances.

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The opportunities afforded him by the war made him one of the foremost men of the world in his generation.

In January 1862, when the campaign in the West really opened, Grant drew up a plan to break the Confederate lines between Forts Henry and Donelson, on the Tennessee and Cumberland Rivers respectively. Having secured the permission of Halleck, he first moved against Fort Henry with 17,000 men and seven gunboats. The Confederates surrendered the fort after most of the defenders had been removed to Fort Donelson. Grant immediately sent his gunboats to the Ohio in order to come up the Cumberland River, while he himself marched overland to invest the position. The Confederates, after an unsuccessful attempt to break through Grant's positions, were compelled to surrender the fort and 15,000 men on February 16. The Confederates, under General A. S. Johnston, gradually retired from Western Tennessee, and Johnston concentrated his forces at Corinth, Mississippi, just south of the Tennessee line. The Union forces under Grant and Buell overran Western Tennessee and were approaching Johnston's position from divergent points. Grant had 45,000 men and Buell 35,000, while Johnston had but 40,000. Johnston, one of the ablest generals on the Southern side, determined to strike before Grant and Buell united. He moved out of Corinth and attacked Grant's army at Shiloh or Pittsburg Landing on April 6. Grant was entirely unprepared for battle, with the result that the Confederates had the best of the first day's fighting, although their commander had bled to death as the result of a wound in the leg. On the 7th the Union army, which had been reinforced by Buell and Wallace, renewed the battle, and after an eight hours' struggle was in possession of the field. The Confederates retired to Corinth, which they were compelled to evacuate when General Halleck, who had taken command, prepared to attack it. The battle of Shiloh cost the Union army 13,000 men and the Confederates 11,000. The defeat of the Confederates at Shiloh left them in a precarious position on the Upper Mississippi. Consequently they were compelled to abandon Columbus, New Madrid, and Island No. 10. Gun-

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boats were now able to steam down the Mississippi, and shortly after Corinth was taken Fort Pillow and Memphis fell into Union hands. In the meantime Farragut had arrived at the mouth of the Mississippi with a naval squadron. After an unsuccessful bombardment of five days, Porter, Farragut's aide, ran past the Confederate batteries, and forced them to surrender. New Orleans surrendered on April 5, with 2500 men. Thus the struggle for the control of the Mississippi was carried on at both ends. With that mighty river in the hands of the Northerners, the slave-holding States of Louisiana, Texas, and Arkansas would be cut off from the rest of the Confederacy. This movement is strikingly similar to Burgoyne's campaign in the Revolution, when he planned to get control of the Hudson and cut off New England from the rest of the colonies.

After the fall of Corinth the Confederates prepared a movement under General Bragg to hold North-eastern Tennessee and to march into Kentucky, with the hope that the Kentuckians would repudiate the Union and join the Confederacy. Bragg had 35,000 men in Chattanooga, while Buell, who opposed him, was at Murfreesboro, thirty-five miles south-east of Nashville. Bragg, turning Buell's left, marched into Kentucky and seized Lexington, and thus threatened Louisville and Cincinnati. Buell hastened to Louisville and entered that city with 58,000 men. He then turned and fought a battle with Bragg at Perryville. Bragg was compelled to retreat to Chattanooga. Buell's failure to carry out his orders to pursue Bragg and take and hold East Tennessee led to his removal. His successor, General Rosecrans, was almost as cautious as he, and did not move upon Bragg until December 26. The result was a desperate battle near Murfreesboro, in which Rosecrans lost 13,000 men and Bragg 10,000. Bragg claimed the victory, although he was forced to retire to Chattanooga. This battle ended the fighting of 1862, the net result of which was Union control of Kentucky and all but Eastern Tennessee, as well as a large part of the Mississippi.

In the summer of 1862 General Halleck was called to Washington to aid the army of the Potomac, and General

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Grant was senior officer in command of the great Union army concentrated at Corinth. For several months he was inactive, and received considerable abuse at the hands of the Northern Press. He was merely planning, however, a campaign on a grand scale against the Confederate stronghold at Vicksburg, the last great position left to the Confederates on the Mississippi. He proposed to send General W. T. Sherman down the Mississippi from Memphis with 30,000 men and a fleet of gunboats, while he himself, with a similar force of men, was to advance to Jackson, Mississippi, and to approach Vicksburg from the east. After meeting several obstacles he finally compelled the Southern general, Pemberton, to retire behind his entrenchments at Vicksburg. Grant received supplies and reinforcements by way of the Mississippi, and so had a well-equipped army of 75,000 men to starve out Pemberton's 40,000 men, and to beat off General J. E. Johnston should he come to Pemberton's aid. Two attempts to storm the works failed, and Grant determined to besiege the Southerners until hunger forced them to yield. By June 1863 the soldiers within the city were on shortened rations, and threatened to mutiny and desert. On July 4, after a meeting with Grant on the previous day, Pemberton signed articles of unconditional surrender—29,491 men surrendered, and Grant received 170 cannon and 50,000 small arms. The fall of Port Hudson a few days later left the entire Mississippi in the hands of the Union forces, and the states west of the Mississippi were effectively prevented from giving further aid to the Confederacy. Food and other supplies that had found their way into the South from Mexico were also cut off.

As soon as the success of Grant's campaign for Vicksburg was assured, General Rosecrans, with his base at Nashville, determined to dislodge Bragg from Chattanooga. This city was a very strong position on the east bank of the rapidly flowing Tennessee River. The most logical method of approach was from the north. Rosecrans, however, determined to approach from the south, where the land was rough and hilly. Rosecrans floundered about there for several days, but Bragg did not take advantage of this obvious opportunity to crush

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the Union forces. He allowed Rosecrans time to gather his scattered forces, and did not offer battle until September 18, 1863. The battle was fought at Chickamauga Creek. Rosecrans had 58,000 men, and Bragg, who had been reinforced by General Buckner's army, which had been driven from Kentucky by General Burnside, and by General Longstreet, who had been sent west from Virginia after Gettysburg, had 66,000 men. In manœuvring for position General Bragg had permitted Rosecrans to get between him and Chattanooga. The Confederate attack broke the Union centre and threw the left into great disorder. Both these sections of the army fled into Chattanooga, completely routed. Rosecrans thought he had lost the battle, but he had not counted upon General Thomas, who was holding the right wing of the Union army. He repelled assault after assault, and did not retire until the left and centre were well within Chattanooga. He undoubtedly saved Rosecrans' entire army from precipitous rout, and possibly from annihilation. The Confederate losses were 19,500 and those of the Union 16,000. Bragg followed Rosecrans, and took up exceptionally strong positions south and east of the town at Lookout Mountain and Missionary Ridge. From his position at Lookout Mountain he was able to command the railroad, which was Rosecrans' only source of supply. The Union army was in a critical position, facing starvation or retreat. President Lincoln acted with great dispatch in the emergency. General Hooker was sent from Virginia with 16,000 men, and Sherman was sent from Vicksburg with many more. Rosecrans was replaced by Thomas, and Grant was placed in command of all the armies of the West and ordered to Chattanooga. Grant took in the situation at a glance, and acted with such energy and dispatch that Bragg was disconcerted and outgeneralled. The new Union commander immediately constructed a road that enabled him to get sufficient supplies for his army, and then determined to attack Bragg's positions. Sherman began the attack on November 24, against the Confederate right. Thomas attacked in the centre at the base of Missionary Ridge, and Hooker struck at Lookout Mountain. On the same day

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Hooker's men stormed Lookout Mountain and captured it in a brilliant assault, often referred to as "the battle above the clouds." This action greatly encouraged the rest of the Union army. General Thomas's men, ordered to take the works at the base of Missionary Ridge, carried out their instructions, but instead of stopping there rushed the heights above them and swept Bragg from the positions he considered impregnable. Philip H. Sheridan was in command of this heroic advance, and was amply rewarded for his daring and courage. The battle for Chattanooga cost the Southerners 6500 men and the Northerners but one thousand less. This battle also settled the fate of Tennessee. It was now safely in the hands of the Unionists, who were free to attack Atlanta, Georgia, and overrun the northern part of that state.

After Chattanooga several changes took place in both armies. The inefficient Bragg was removed, and General J. E. Johnston appointed in his place. Grant's ability was recognized by reviving the rank of lieutenant-general and giving him the entire command of all the Union armies, East and West. One of his first acts after his promotion was to appoint General W. T. Sherman as his successor in command of the armies in the West. Sherman had nearly 100,000 men under his command, as opposed to 75,000 under General Johnston, when the campaign of 1864 began. The key position to the South-west was Atlanta. Upon the retention of that place rested the fortunes of the Confederacy in this theatre of the war.

Johnston had spent the winter of 1863-64 at Dalton, south-east of Chattanooga and 120 miles north-north-west of Atlanta. Early in May 1864 Sherman appeared before Dalton, where Johnston was strongly entrenched. Skirting his left, Sherman outflanked Johnston, and compelled him to retire gradually along the railroad running from Dalton to Atlanta. Sherman continued his flanking movement until Johnston reached Kenesaw Mountain, about twenty-five miles from Atlanta. He attacked here, but was severely repulsed. This setback caused him to renew his flanking movement, which

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brought him to within six miles of Atlanta. The Confederate Government and public lost all confidence in Johnston, and he was replaced by General J. B. Hood. Hood determined to fight, and between July 20 and 28, 1864, fought and lost three battles, losing 10,850 men as compared with a loss of 9700 Union soldiers. The entire month of August was spent by Sherman in attempting to surround Atlanta. As his enveloping scheme was gradually succeeding, Hood determined to evacuate the city on September 2. The Union forces entered on the next day, much to the satisfaction and joy of a rather disheartened public in the free states. After his defeat Hood marched round Sherman's rear, and threatened to cut off his communications, but was beaten off, and he retired farther westward to the Tennessee-Alabama line, about 125 miles from Nashville, which city he gradually approached. General Thomas was assigned to the defence of that city, and acted with such great deliberation and caution that Grant felt he should be removed and the command given to Schofield, who had temporarily checked Hood at Franklin. Hood entrenched in front of Nashville, despite Grant's frantic efforts to induce Thomas to attack him. Thomas finally advanced to the attack on December 15-16. Hood's army was completely broken up, and the 15,000 men that remained retreated in great disorder across the Tennessee boundary line. This ended any serious opposition to the Union armies in the west. The Confederates held a few isolated posts along the sea coast, but between the Ohio River and the Gulf of Mexico the Union forces were in complete control.

Sherman, in Atlanta, had about 60,000 well-seasoned, well-disciplined troops. Ever since he had captured the city he had been begging Grant for permission to march to the sea, and finally Grant reluctantly consented. His famous march from "Atlanta to the sea" began on December 15, 1864. He destroyed the machine-shops at Atlanta, the railroad to Chattanooga, and cut all telegraphic communications with the North. He cut a swath sixty miles wide from Atlanta to the sea, and lived very liberally on the country. He received practically no opposition on his 360-mile 'picnic.' He

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reported to Grant : " I estimate the damage done to the state of Georgia and its military resources at \$100,000,000, at least \$20,000,000 of which has inured to our advantage and the remainder is simply waste and destruction." By September 10 he was before Savannah, which he entered just before Christmas. He sent Lincoln a telegram which contained the announcement, " As a Christmas gift, the city of Savannah, with 150 heavy guns, plenty of ammunition, and about 25,000 bales of cotton." Sherman's march, despite its inexcusable and unwarranted destruction, had a tremendous moral and military effect. It showed the people of both North and South that the war was rapidly nearing its end. From the military point of view it restricted the activities of the Confederates to the Carolinas and a part of Virginia. Sherman left Savannah about February 1, 1865, and marched northward. He entered Columbia, the capital of South Carolina, and the town was burnt to the ground, presumably as the result of the wild orgy his soldiers engaged in. The fall of Columbia sealed the fate of Charleston, and Sherman entered it without resistance. He occupied Fayetteville, North Carolina, on March 11, and proceeded northward from there. He was engaged by General J. E. Johnston at Averasborough and Bentonville, but easily overcame the opposition. On March 23 he reached Goldsboro, 160 miles south of Richmond. After a two weeks' stay he moved westward to intercept Lee, who was retreating in the face of Grant's continuous attacks. He drove General Johnston before him, and had not overtaken him before the surrender of Lee at Appomattox Courthouse.

Thus ended the Western campaign. From the capture of Forts Henry and Donelson right up to the end of Sherman's march, the Northern troops had always advanced and had never been compelled to retreat or give up any territory they had conquered. Too high praise cannot be given to the sons of the South, who, in the face of tremendous odds, inflicted severe losses upon the almost unending flood of soldiers that was hurled against them.

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THE EASTERN CAMPAIGNS

The failure of McDowell's well-planned attack on the Confederates at Bull Run, although no fault of his own, led to his loss of prestige, and ultimately to the loss of his command. He was succeeded by General George B. McClellan, who had won some successes in West Virginia. McClellan was a good soldier, thoroughly efficient, and with special ability as an organizer. He lacked decision, however, was always quarrelling with his superiors in Washington, and had a marked tendency to over-estimate the strength of the enemy. Throughout the winter of 1861-62 he organized and drilled the 138,000 men under his command in the vicinity of Washington.

McClellan devised a scheme for the consummation of the battle slogan "On to Richmond!" He proposed to take his army to Fortress Monroe and then advance up the 'peninsula' between the York and James Rivers. By April 1862 he had 100,000 men at Fortress Monroe, from which he began a cautious advance. He lost a month's time at Yorktown, where the Confederates showed a mere pretence of opposition. His fleet ascended the James to within six miles of Richmond, where it met strong opposition from heavy land batteries. McClellan, however, was on the York River, and did not dare dispatch the necessary land forces to carry these works for fear that Washington would be uncovered. Richmond appeared to be within McClellan's grasp, when a diversion was created by the activities of 'Stonewall' Jackson in the Shenandoah valley. Jackson, crushing all resistance before him, rushed up the valley as far as Harper's Ferry. This aroused Washington and effectively engaged any reinforcements that might have been sent to McClellan. Two of McClellan's five corps were cut up in the battle of Seven Pines or Fair Oaks on May 31, although the Union positions were recaptured the next day. McClellan determined to advance under siege conditions, a slow and tedious method, particularly when an assault might have been successful. His policy gave the Confederates under General Robert E. Lee time to strengthen their defences and plan a counter-movement.

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The Confederate plan was to bring Jackson from the Shenandoah valley to the north bank of the Chickahominy River and overwhelm the Union forces on that side of it. This was successfully carried out. While this operation was going on McClellan lost his big opportunity. He had 60,000 men between Lee and Richmond, which had but 25,000 defenders. He might easily have captured the city and fought Lee from his own entrenchments. He over-estimated the numbers in Richmond, and failed to seize the chance Lee had left open. The control of the north bank of the Chickahominy left the Confederates astride McClellan's communications, which meant that the Union army must either cross the stream or retreat to Fortress Monroe. McClellan decided upon the latter course, but retired to the James instead of going immediately to the coast, and Lee, misunderstanding his movement, attacked him in a strong position at Malvern Hill on July 1, and was driven back with severe losses. The seven days' battle (June 26-July 1) cost McClellan 16,000 men and Lee about 20,000. McClellan held a strong position at Harrison's Landing, only twenty miles from Richmond, and wished to receive reinforcements and continue the campaign. Popular opinion, however, was aroused against him, and Lincoln removed him and made General Halleck commander-in-chief of the armies of the Union. Pope, the victor of Island No. 10, was given command of the army in the Shenandoah valley, while McClellan's army was permitted to remain on the ' peninsula ' for the time being.

Pope was completely outwitted by Lee and Jackson, who got in his rear by means of their superior knowledge of the Shenandoah valley, and defeated him at the second battle of Bull Run, and compelled him to fall back on Washington, just as McDowell had done the previous year. Lee saw that he was unable to besiege Washington, but he determined to strike in Maryland. Thereupon he ordered Jackson across the Potomac, twenty-five miles above Washington. By September 7 the Confederate army was in Maryland, singing " Maryland, my Maryland," with the hope that that slave-holding state would desert the Union and join the Confederacy. Lee's hopes, however, were sadly shattered, because the people

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of Maryland refused to come over to his side. Pope was replaced by McClellan, who followed Lee into Maryland. McClellan in this campaign showed his over-cautiousness again and again, and although he checked Lee's invasion he did not crush his army, which at the time was separated from Jackson's. He met Lee at Antietam Creek on September 17, 1862, and after the bloodiest day's fighting in the war failed to dislodge him from his positions. Lee's attacking power was spent, however, and he was compelled to retreat across the Potomac. The Union losses were 12,400 out of 87,000 men engaged, and the Confederates' 11,000 out of 60,000. Although Lee won a technical victory, practical victory was with the North, for the invasion of that section was ended, and the drooping spirits of its inhabitants were revived. McClellan was again removed, this time for his failure to pursue General Lee, and his position was given to General Burnside.

The military situation demanded a campaign against Richmond, and Burnside determined to attack along the line of the railroad running from Fredericksburg, Maryland, to Richmond, although it involved the crossing of several broad rivers. Burnside rapidly approached the Rappahannock River before Fredericksburg, hoping to get across it before the Confederates could check him. Lee, Longstreet, and Jackson were there before him, however, and, while he got two-thirds of his army across, they were mowed down by the withering fire of the Confederates (December 14). On the next day he was compelled to withdraw the remainder of his army to the other side of the river. Burnside lost 12,000 men in this badly executed battle, and as a result of his defeat was relieved of his command. 'Fighting Joe' Hooker succeeded him at a time when the war-spirit of the North was rapidly waning.

Hooker was a good fighter, and spent the first four months of 1863 in reorganizing his army and reviving their spirits. In the latter part of April he sent large forces of men up and down the Rappahannock, on either side of Fredericksburg. Those that went up the river advanced (after they had crossed it) to Chancellorsville, nine miles from Fredericksburg, while

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those who went down the river threatened Lee's rear. Although possessing superior numbers of men, Hooker decided to stay on the defensive, much to the disgust of many of his generals. Lee attacked Hooker's left at Chancellorsville on May 2. For three days the battle raged, and everywhere the Confederates were victorious. Hooker and his men were driven across the river at all points, and the defeat was so decisive that Lee determined to invade the North again. The victory cost the South dearly, however, because 'Stonewall' Jackson, one of the ablest generals on the Southern side, was killed—strangely enough, by one of his own men. The battle of Chancellorsville cost the North over 17,000 men and the South nearly 12,500.

Lee had various reasons for again invading the North. He wished to transfer the seat of war to the enemy's territory. He also sought to take advantage of the low spirits of the Northerners and frighten them into a compromise peace. Again, he wished to counteract the expected fall of Vicksburg with a Confederate victory on Northern soil. Consequently, with an army of 80,000 well-trained soldiers, he crossed the Potomac and advanced to the Pennsylvania state line. The Union forces were rapidly concentrated and placed under the command of General Meade. Meade immediately placed himself between Lee and the city of Baltimore, and took steps to engage him in battle. He finally took up his positions on Round Top and Cemetery Ridge, just south of the town of Gettysburg, Pennsylvania, and awaited Lee's attacks. The battle raged furiously for three days, July 1, 2, and 3, 1863. On the first two days the Confederates were uniformly successful, driving back the Union left and right wings. On the third the expected attack on the centre was delivered. It was probably the most spectacular single event of the war, but it was also one of the most foolhardy. Lee ordered General Pickett, with 15,000 men, to charge the almost impregnable Union positions on Cemetery Ridge. To reach the ridge Pickett and his men had to cross a mile of open country with no protection whatever. Despite the murderous fire from cannon and rifles, the brave Southerners dashed right to the



ULYSSES S. GRANT
 President of the United States 1869-77
 Engraved by R. Whitechurch from a daguerreotype



ROBERT E. LEE
 Engraved from a photograph

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top of the position and held it momentarily. When the Unionists recovered from their surprise the heroic Confederates were hurled back on to the plain which they had just crossed in such magnificent style. The failure of Pickett's charge marked the failure of the Confederate cause. Coupled with the fall of Vicksburg on the following day, the disaster brought the fortunes of the South to such a low ebb that it was merely a question of how much longer they could hold out. In the three days' battle Lee lost 20,500 men and Meade 23,000.

After the battle of Gettysburg both armies retired to Northern Virginia, where they were content to rest and recuperate and watch the war in the West. In March 1864, as has been noted above, Grant was placed in command of all the Union armies and moved his headquarters to the Eastern theatre. Grant determined to crush Lee by superior weight of numbers. He crossed the Rapidan in May 1864, and fought the battles of the Wilderness and Spottsylvania Court House (May 5-21). During this time he lost 34,000 men, but stuck to his original scheme, saying, "I propose to fight it out on this line, if it takes all summer."

On June 2 Grant opposed Lee at Cold Harbor, only six miles from the defences of Richmond. Here he again attacked Lee, and suffered a loss of 7000 men in twenty-two minutes. This frightful loss of life (55,000 since the campaign began) without accomplishing anything of visible value convinced Grant that the only way to get Richmond was to besiege it. The Union forces failed in an attack on Petersburg, and General Early led his Confederate cavalry right up to the defences of Washington. Grant sent Sheridan to stop these daring raids up the Shenandoah valley. The latter defeated Early in two battles, and then made further raids impossible by laying waste the entire valley, doing it so thoroughly that Sheridan himself said that "A crow flying over the country would need to carry his own rations." Grant sat before Richmond during the autumn of 1864 and the winter of 1864-65. About April 1, 1865, he began an enveloping movement, which Lee, with his inferior numbers, could not prevent. He evacuated Petersburg on April 2. On the next day Richmond, the goal

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of four years' struggle, fell into Grant's hands. Lincoln visited it on the 4th.

Grant followed Lee closely, and when Sheridan cut off his further retreat at Appomattox Court House Lee surrendered on April 9, accepting Grant's conditions, which were very generous. Officers and men were released on parole and allowed to keep their horses "for the spring ploughing." Lee was permitted to retain his sword. After a touching speech of farewell Lee's once magnificent army, now reduced to less than 30,000 men, badly clothed and fed, broke up and went home as best it could. On April 26 General Johnston surrendered his army to General Sherman, on May 4 General Taylor surrendered all troops in Alabama and Mississippi, and on May 26 General Kirby Smith surrendered the Confederate troops west of the Mississippi. The total troops thus surrendered numbered about 175,000 men. President Davis and other prominent Southern leaders were also captured, but were ultimately released. The total loss of life in this four years' struggle was approximately 700,000 men. This figure does not include the thousands who were wounded or crippled as a result of the fighting or who suffered from disease acquired as a result of the war.

NAVAL OPERATIONS

The navy, while it played a great part in the winning of the war, was not called upon to fight many battles. Its biggest field of endeavour was in blockading the coasts of the South. Its actual fighting consisted in aiding the army in its attacks on seaports and along the rivers of the West, and in chasing and destroying the small number of commerce-raiders that the Confederacy was able to put to sea. The blockade was of especial importance, because the South hoped and expected that Great Britain and France would not stand by and see themselves cut off from the \$125,000,000 cotton crop that they were accustomed to purchase from the South. The blockade was established in May 1861, shortly after the outbreak of hostilities. The number of vessels patrolling the line was increased from approximately a dozen at the beginning of

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the war to about three hundred at the time it closed. The patrol work was very monotonous. The effectiveness of it may be understood, however, by the fact that the value of the cotton exported from the South dropped from \$125,000,000 in 1860 to \$4,000,000 in 1862, and to even less thereafter. The hopes of the Southerners of foreign intervention were raised when an event of international importance occurred in November 1861 which brought the United States and Great Britain to the brink of war. On November 8 Captain Wilkes, of the U.S.S. *San Jacinto*, stopped the British mail-steamer *Trent*, which had sailed from Havana, and seized two Southern diplomats, Mason and Slidell. The former was bound for Great Britain to represent his Government there, and the latter for France on a similar mission. In the North the action of Wilkes was received with a delirium of joy. He was hailed as a hero and fêted wherever he went. Congress passed a laudatory resolution concerning his deed, and many of the members of Lincoln's Cabinet extended their thanks to him. In England anti-American feeling was raised to a war-pitch. The fleet was assembled, and 8000 troops were sent to Canada. The Government demanded the release of the prisoners and an explanation of the seizure. Lincoln and Seward saw the indefensible position of the United States. The American Government had exercised the so-called right of search, a principle it had fought against so vigorously during the Napoleonic wars and in the War of 1812. Seward then took the only course open to the American Government. He disavowed Wilkes' act, and informed the British Government in December that Mason and Slidell would be liberated. This action appeased the Ministry, and the blockade was not interfered with.

Another source of friction between the two countries arose. This was the fitting-out in the shipyards of Liverpool of two commerce-destroyers for the use of the Confederates. Despite the able protests of Charles Francis Adams, the American ambassador at the Court of St James's, the *Florida* and *Alabama* were constructed and permitted to sail on their cruises of destruction, in violation of all principles of

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international law. During the war they, with the aid of some smaller vessels, captured nearly 300 merchantmen and caused a loss of \$15,000,000. The *Alabama* was finally destroyed in June 1864 by the U.S.S. *Kearsarge*. The so-called *Alabama* claims were settled in 1872, as will be seen.

The most spectacular naval battle of the war arose over the attempt on the part of the Southerners to break the blockade by the use of an iron-clad ram. The Southerners had raised the *Merrimac*, a former Union vessel that had been sunk in the harbour of Norfolk, and had covered her with iron rails. She was rechristened the *Virginia*. On March 8, 1862, she appeared in Hampton Roads and sank two of the best ships in the wooden American navy, the *Cumberland* and the *Congress*. The former she rammed and the latter she compelled to surrender. After attacking the *Minnesota* the *Virginia* retired for the night. When on the next day she returned to complete the destruction she was confronted by a queer-looking craft which resembled "a cheese box on a raft." It was the *Monitor*, which "consisted of a cylindrical, armored, revolving turret, twenty feet in diameter, containing two eleven-inch Dahlgren guns, set upon a shallow flat hull 172 feet long and 41 feet wide, with an overhanging armored deck protecting the propeller and the rudder."¹ The battle, which began immediately, lasted four hours, when the *Merrimac* (*Virginia*) was compelled to retire because of a leak. The *Monitor* effectively stopped further assaults on the blockading line. It also showed the world, in conclusive fashion, that the day of the wooden vessel had passed and that of the steel ship had dawned.

Other exploits of the navy consisted in attacking and seizing harbours along the Southern coast. By the middle of 1862 all such harbours along the Atlantic coast, with the exception of Wilmington, North Carolina, and Charleston, South Carolina, were in the hands of the Federal fleet. New Orleans was taken in 1862, and Mobile Bay was cleared of the Confederate vessels there by a brilliant stroke, executed by Admiral Farragut in August 1864. The gunboats on the

¹ Burgess, *Civil War and the Constitution*, vol. ii, pp. 10-11.

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Western rivers played a very important part in the military operations in that region. They were of inestimable service to Grant in the capture of Forts Henry and Donelson and of Vicksburg.

EMANCIPATION

Lincoln had been elected in 1860 on a platform opposed to the extension of slavery in the territories only. He had reiterated again and again his determination not to interfere with slavery where it already existed. Shortly after the war began many of the radical Republicans demanded that action should be taken to destroy slavery entirely. Lincoln was opposed to this policy, because he felt that the war was to be fought solely on the issue of the preservation of the Union, and that it was on this issue alone that he could gain and hold the support of the slave-holding states, Delaware, Maryland, Missouri, and Kentucky. In marked conformity with his views Congress passed a resolution shortly after the first battle of Bull Run to the effect that the North was fighting to preserve the Union only and not to destroy slavery. Public opinion against slavery gradually increased to such an extent that both Congress and the President were compelled to abandon their moderate views. The emancipation of the slaves was accelerated by the actions of one or two Union generals in the territory under their control.

General Butler, in command of Fortress Monroe, had refused to return slaves who had fled to him after the secession movement was under way in Virginia, on the ground that they were 'contraband of war,' because they had been used in the construction of fortifications, etc. Although illegal, it was countenanced by public opinion and the Government. His action was followed by the passage of the first Confiscation Act in August 1861, which made such slaves free, but contained no provision for escaped slaves who had not been used for military purposes. General Frémont, in command of the Union army in Mississippi, issued an order on August 30, 1861, confiscating the property of all who had rebelled against the Union and the freeing of their slaves. Lincoln ordered

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Frémont to recall this popular order, because he knew it to be illegal and because of the effect it might have on Kentucky, which state was dangerously balancing on the line between Unionism and secession.

Lincoln, who always believed slavery to be a social, moral, and political evil, devised a scheme of his own for emancipation. His plan was to emancipate with compensation to the owners. He proposed such a scheme to Congress and the loyal border states in March 1862, but neither of them took kindly to it. Afterward Congress passed the Second Confiscation Act, which freed the slaves of persons in rebellion and forbade their return in any circumstances. Lincoln signed the Bill, although he believed it unconstitutional, but did very little to enforce it. When General Hunter declared the slaves in South Carolina, Georgia, and Florida free (May 1862), Lincoln countermanded his order, and again offered a scheme for compensated emancipation. When this failed he was compelled to adopt other measures.

In July 1862 Lincoln called a Cabinet meeting to discuss a proclamation of emancipation, applicable to the seceding states, based upon military necessity. Seward advised that he should wait until the North had won a signal victory on the battlefield before issuing it. Lincoln adopted his suggestion. As the Cabinet meeting was secret, the radical emancipators continued to attack Lincoln for his repudiation of Frémont and Hunter and for his failure to enforce the Second Confiscation Act. Horace Greeley, the editor of the *New York Tribune*, was Lincoln's chief critic, and in reply to an editorial attacking him Lincoln wrote the following words to Greeley through the public Press. They are among his greatest public writings.

"As to the policy I 'seem to be pursuing,' as you say, I have not meant to leave anyone in doubt. I would save the union. I would save it the shortest way under the constitution. The sooner the national authority can be restored, the nearer the union will be 'the union as it was.' If there be those who would not save the union unless they could at the same time save slavery, I do not agree with them. If there

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be those who would not save the union unless they could at the same time destroy slavery, I do not agree with them. My paramount object in this struggle is to save the union, and is not either to save or destroy slavery. If I could save the union without freeing any slave, I would do it ; and if I could save it by freeing all the slaves, I would do it ; and if I could save it by freeing some and leaving others alone, I would also do that. What I do about slavery and the colored race, I do because I believe it helps to save the union ; and what I forbear, I forbear because I do not believe it would help to save the union. I shall do less whenever I believe what I am doing hurts the cause, and I shall do more whenever I shall believe doing more will help the cause. I shall try to correct errors when shown to be errors, and I shall adopt new views so fast as they shall appear to be true views."

The victory Lincoln had been waiting for was that of Antietam, when McClellan checked Lee's invasion of Maryland (September 17, 1862). A warning proclamation was issued on September 23, and the proclamation of emancipation itself was issued on January 1, 1863. This latter declared that the slaves were henceforth free in all states resisting the Union on that date. The preliminary proclamation contained Lincoln's pet scheme of compensating loyal slave-holders if they would free their slaves. The proclamation did not affect the border states or any parts of the seceding states that were under the control of Union forces. This proclamation satisfied the critics of Lincoln as well as the border states, who were not affected by it. It also killed all chances of intervention by European Powers on the side of the South, for now the issue of slavery was clearly defined. If Great Britain or France decided to aid the South it would mean that they would be fighting for the preservation of slavery, for the abolition of which both of them had been struggling for years.

Lincoln's emancipation proclamation had no civil justification whatever. It was simply a war measure, and issued by him as the commander-in-chief of the Union armies. It could only come into effect where the Union forces gained control of territory that was in the possession of the South

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at the time it was issued. The Republicans realized that slavery still legally existed in about half the territory that had had the institution before the war, and they also knew that there was no power granted to the national Government which could prevent the re-establishment of the slave system after the states "ceased to be in rebellion." They thereupon introduced an amendment to the Constitution (the thirteenth) providing that "Neither slavery nor involuntary servitude, except as a punishment for crime, whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction." It passed Congress by the necessary two-thirds votes on January 31, 1865, and became part of the "supreme law of the land" on December 18 of the same year. Thus ended the struggle against slavery. For forty years it had been *the* national issue, and from 1840 to 1860 the Presidential campaigns were decided on the slavery question. It does not seem possible that the institution could have been abolished without the Civil War. Compromise followed compromise, but the question was never settled. The war was not in vain, for besides freeing the negro from the unchristian shackles of slavery, it also secured the supremacy of a strong central government, rather than of a collection of sovereign states.

THE ELECTION OF 1864 AND THE ASSASSINATION OF LINCOLN

Lincoln was a minority President in 1860—*i.e.*, more people voted against him than for him. He had a bare majority in Congress, one which was liable to fluctuate at any moment and vote against him. There was a strong, well-organized minority of Democrats in both Houses which opposed him and the war from every angle. The first test of his strength came in the Congressional elections of 1862. The Democrats fought their campaign on the issue that the war had been a failure, that corruption was prevalent, and that Lincoln was using his war power to throw his critics in jail in an illegal manner. The elections were generally favourable to the Democrats, who almost doubled their representation in Congress. In Lincoln's own party he had to contend

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with considerable opposition. The radical anti-slavery men were continually besieging him to abolish the institution and criticizing him for not doing so. Chase, one of the ablest Republican leaders and a member of Lincoln's Cabinet, was considered the leader of the party opposition to Lincoln.

Such was the situation when the national nominating conventions were held in 1864. Although there was an abortive attempt to secure the nomination for Chase, Lincoln was unanimously renominated. Andrew Johnson, the military governor of Tennessee and a Southerner, was nominated for the Vice-Presidency, to show that the candidates were not sectional. The Democrats held their convention on August 29, 1864, and nominated General McClellan, on the platform that the war had been a failure and that peace should be restored on the basis of a Federal union of the states. In the campaign that followed the hopes of the Republicans were very low. Grant had lost 55,000 men before Richmond without accomplishing visible effects, and Sherman was still struggling for Atlanta. Lincoln and the Republican leaders recognized the indisputable fact that without victories in the field the hopes of success were very slender. These victories were fortunately supplied. Farragut destroyed the Mobile Bay forts in August, Sherman entered Atlanta in September, and Sheridan defeated Early in the Shenandoah valley in October. These three successes to Union arms turned defeat into victory, and Lincoln was elected with a popular majority of half a million votes and an electoral vote of 212 to 21. Lincoln interpreted the victory as meaning that the people of the North desired the war carried out to the bitter end. He felt much easier concerning the frightful losses in Virginia and the depredations of Sherman in Georgia.

Lincoln was inaugurated for the second time on March 4, 1865. On the 9th of the next month Lee surrendered to Grant at Appomattox Court House. On the night of the 14th, four years after the war had begun with the attack on Fort Sumter, Lincoln was shot by Wilkes Booth, a half-crazy actor, while he was attending Ford's Theatre in Washington. It was part of a widespread plot to assassinate many of the

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leaders of the Republican party because they were too harsh toward the South. Seward was stabbed on the same night, and General Grant was saved apparently on account of the loss of heart on the part of his assailant.

“Lincoln lived until 7.22 on the 15th. His death was a poignant blow to the nation. In the darkest hours of the war he had never wavered in hope and effort; in a thousand trying events he had shown good sense and persistent goodwill; in many a personal attack he had borne himself with patience and self-forgotten fortitude; and in every phase of the war he had been the chief support of union. He was great in all the great phases of public leadership, but greatest of all in that overspreading consciousness that all the people, white men and black men, northern men and southern men, were within the bounds of his responsibility and protection.”¹

HOW THE WAR WAS FINANCED

The chief sinew of war is money, or, in lieu of that, credit. The South had neither. The strict blockade maintained by the North practically eliminated customs duties as a source of revenue. What little specie there was in the South was gradually withdrawn to pay for the supplies that were smuggled in from abroad. The chief sources of revenue for the central and state Governments were the sale of bonds and the issue of Treasury notes. The bonds and paper money rapidly depreciated in value, particularly after the fortunes of war began to go against the South. Flour was \$1000 a barrel, and tea \$30 a pound. Bonds were given by the Government for produce which they hoped to smuggle out through the blockade and exchange for war supplies. To support the army the central Government exacted a certain percentage of all the agricultural products raised. It was a good thing for the South that its huge labour class, the negro slaves, did not need to be paid in money. They did their part in raising foodstuffs, etc., for which they received merely their subsistence.

In the North the financing of the war was a much more

¹ Bassett, *A Short History of the United States*, p. 568.

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difficult task in its earlier stages than later. The problem was admirably handled by Salmon P. Chase, Lincoln's able Secretary of the Treasury. The financing of the entire war resulted in the raising of \$667,000,000 by direct and indirect taxation and the borrowing of \$2,620,000,000. The gradual increase of faith in the Union Government is shown by the decrease in the interest rate on bonds from 7·3 per cent. in 1861 to 6 per cent. in 1863. In 1861 a \$250,000,000 bond issue was authorized, and tax laws passed estimated to raise \$75,000,000. By the end of the year the situation was very bad. The banks had suspended specie payment, and the Government bonds were not selling very well. In 1862 a further issue of \$500,000,000 in bonds was authorized, as well as \$100,000,000 in legal tender notes (commonly called 'greenbacks'). The tariff duties were raised, and a comprehensive taxation Bill passed which taxed almost every article of consumption. The tariff policy was to be one in which protective measures were to be applied so that American industries could thrive to such an extent that they would be able to support a big internal revenue tax. These measures were expected to support the war for a year.

By January 1863 the Treasury was again empty, and Congress authorized the issue of \$100,000,000 more 'greenbacks' and an additional loan of \$900,000,000. In February of the same year it passed the important National Banking Act, largely as a means of disposing of Government bonds. This Act permitted a group of men, with at least \$50,000 capital, to form a bank. At least one-third of the capital had to be deposited with the United States Treasury in the form of national bonds, in return for which the Government issued notes to the bank up to 90 per cent. of the par value of the bonds, which notes could be used for currency. A tax placed upon the circulation of state banks caused most of these to become national banks. The Government in this way secured a market for its bonds and gave the people a guaranteed currency which tended to drive the depreciated state-bank currency out of circulation. Despite this admirable measure the Government in 1864 was compelled to

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raise the taxes all round, authorize a loan of \$400,000,000, and increase the issue of 'greenbacks' to \$450,000,000. These 'greenbacks' fluctuated with the fortunes of war. Being a cheap money, they tended to drive gold from circulation. Whenever the Confederates threatened a Northern invasion, or the Union armies suffered a reverse, the 'greenbacks' depreciated to a large extent, with an accompanying rise in prices. Throughout the summer of 1864, when Grant was before Richmond and Early was threatening Washington, a 'greenback' dollar was worth only about thirty-five cents sterling. As soon as the war was over, and the credit of the Government established on a firm basis, the 'greenback' steadily rose until it reached a parity with gold. The industrial growth of the Union, even during the war, was a good index of the ability of the Government to pay back what was then considered an enormous debt.

BOOK VI

POLITICAL, ECONOMIC, AND SOCIAL HISTORY SINCE THE CIVIL WAR

1865-1920

CHAPTER I

THE RECONSTRUCTION PERIOD

THE great and bloody Civil War was now over, the work of the armies done, and the tremendous problem of restoring the Union to a harmonious nation faced the President and Congress of the United States. This problem resolved itself into three well-defined phases. In the first place, what was the status of the eleven states that had unsuccessfully attempted to disrupt the Union? Secondly, how were the Southern whites who had taken part in the rebellion to be dealt with? Thirdly, what was to be done with the four million and more black freedmen, who four years before had been the chattels and property of their masters? Even the joy and enthusiasm of victory could not obliterate this gigantic three-headed problem, which loomed up like a huge thundercloud on the horizon.

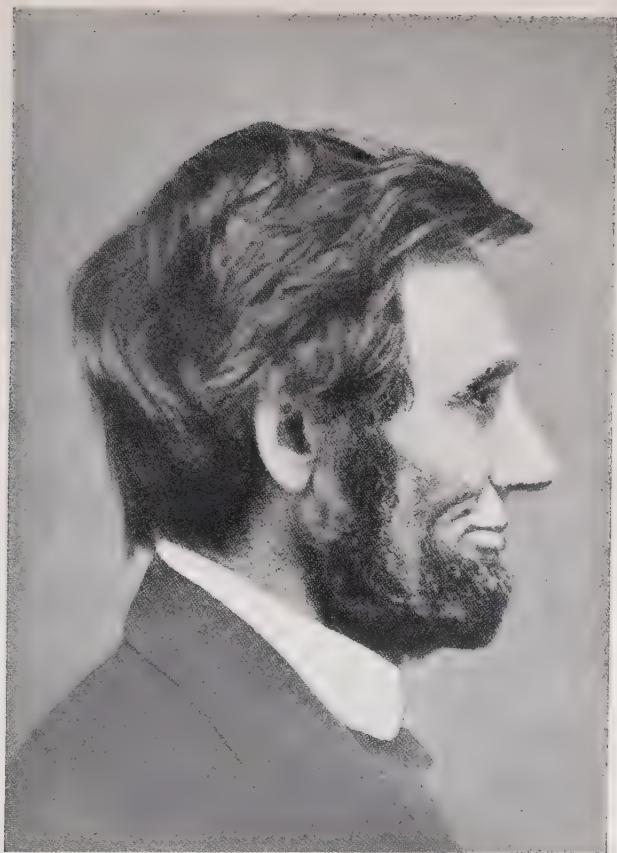
There arose almost immediately a conflict between the executive and legislative branches of the Government over the question of which one of them had the right to reconstruct the South. As the Constitution made no provisions for such a situation the solution of it was a gradual development in which the legislative department of the Government finally took the entire matter in its own hands and compelled the President and the South to accept its views. The struggle between the President and Congress largely centred round the

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amount of confidence that could be placed in the Southerners. Both President Lincoln and President Johnson believed that the Southern states could be restored to the Union after meeting a few conditions imposed upon them; they could then work out their own problems by themselves. Congress, on the other hand, did not feel that this mode of reconstruction was severe enough. It felt that if the South were permitted to work out its own salvation the negroes would not be sufficiently protected in their rights and would be practically re-enslaved by the actions of the individual states. Consequently it demanded specific laws guaranteeing the negro equal rights in politics and industry, and ultimately succeeded in having two amendments added to the Constitution which contained the views of the majority of Congress.

In the debates that arose in that body over the reconstruction problem several theories of the status of the Southern states were expressed. It would be well to state these at this time, in order to help the reader to understand the complexity of the question. (1) The Southerners and many liberal Northerners believed that the states still existed as states and possessed all the qualities of statehood that existed before the war. All that was necessary for them to do to become members of the Union again was to recognize the supremacy of the central Government and to elect their representatives and senators and take back their old position. (2) The Presidential theory also held the belief that the states still existed, although through the actions of their leaders they did not possess their normal relationship to the Union. As soon as these leaders were pardoned, and the Southern states had established governments and elected representatives, they could come back into the Union. (3) The 'suicide' theory was advanced by Senator Sumner of Massachusetts. This theory maintained that the Southern states had committed treason and thus forfeited their constitutional rights, and therefore, being no longer states, could only be readmitted on conditions imposed by Congress. (4) The most radical theory of all was that of Thaddeus Stevens, who believed that

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ABRAHAM LINCOLN

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President of the United States 1861-65

From a photograph taken probably early in 1861. This photograph was used by Leonard W. Volk, the sculptor, in his studies of Lincoln.

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the Southern states were conquered provinces and that Congress could do anything it pleased with the people and the territories. (5) The forfeited-rights theory that was finally adopted was a compromise between the first two and the last two. It held that the states had not destroyed themselves, but were out of their normal constitutional relationship with the rest of the Union. "They were in a state of suspended animation, and Congress was to determine the terms of restoration."¹ This theory differed from Sumner's and Stevens' in that the states still existed, but it also differed from the Presidential theory in that Congress was to be the judge of the conditions of restoration.

Lincoln began to put his theory of reconstruction into practice shortly after the outbreak of hostilities. The successes of the army and navy in the West resulted in the falling of parts of Tennessee, Arkansas, and Louisiana into the hands of the Union forces. Lincoln appointed military governors to rule these districts, and informed them that their chief duty was to instil loyal Union sentiments into the inhabitants under their control. Andrew Johnson, who was later to become President, was appointed military governor of Tennessee. These temporary governments achieved considerable success, although Congress refused to admit their representatives to that body when they appeared and presented their credentials. A conjecture of what compromise Congress and the President might have reached would be of little value, although there are those who stoutly maintain that Lincoln's infinite tact and patience would have produced a sounder plan of reconstruction than that adopted.

After the assassination of Lincoln Andrew Johnson of Tennessee succeeded to the Presidency. He was a man of strong passions and stubbornness, self-educated, lacking in self-control, and often under the influence of liquor. He had been an anti-slavery Democrat before the war, and although he had states' rights leanings he was a strong supporter of the Union. In this latter respect only was he similar to Lincoln in any way. He lacked his predecessor's tact, wisdom,

¹ Bassett, *A Short History of the United States*, pp. 594-595.

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statesmanship, patience, and ability to handle men. He took the oath of office on April 15. After considering for a short time the theories of the radical members of Congress who favoured comparatively harsh treatment for the Southerners, he ultimately adopted Lincoln's theory of reconstruction as his own. He announced his plan in his amnesty proclamation of May 29, 1865. With certain exceptions this provided for the pardoning of the Southerners. He also appointed a governor in most of the Southern states and ordered him to hold an election for a constitutional convention. Only those who had received amnesty and had voted before secession were permitted the franchise. This denied the free negro the right of suffrage, much to the annoyance of the radical Northerners. By the end of October several of the Southern states had held their conventions, annulled secession, abolished slavery, and repudiated their debts. Shortly after this the new state legislatures ratified the Thirteenth Amendment.

The problem the four million and more blacks presented was as serious as that of the relationship of the Southern states to the rest of the Union. The Southerner, accustomed to look upon the negro as an absolutely inferior being, could not be expected to accept him at the close of the war as a human being with rights equal to his own. During the period when slavery flourished the Southern states had passed laws concerning the slave's status, usually referred to as 'black codes.' These placed severe restrictions upon the negro which effectively kept him in his place of inferiority. For the most part the negro had remained quietly at home during the war and had worked in his accustomed manner on the farms and plantations. The idea that the war was being fought for his freedom did not penetrate his intelligence to any great extent. Even when the Union armies gained control of a district many of the negroes remained with their masters, although some of them flocked to the Union forces to experiment with their newly won freedom. When Southern resistance collapsed thousands hired themselves out to their former masters, but thousands more of them wandered over the country in an aimless fashion, tasting the fruits of their freedom and living

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on anything they could steal. Although many of them worked industriously throughout the first half of 1865, nearly all of them became restless after that. This was due in a great degree to the feeling the negro had that the Government at Washington was going to give him forty acres of land and a mule for a present on Christmas Day 1865. As this feeling was very general the negroes almost to a man refused to sign any agreements for work. This naturally incensed the Southern whites, and their hatred for the former slaves was considerably heightened. The negro in general reciprocated this feeling.

Partly to alleviate the condition of these wandering bands of unemployed freedmen, the Government established on March 3, 1865, a Freedmen's Bureau, which was "a bureau of refugees, freedmen, and abandoned lands." Its object was mainly to be the guardian of the negro and to protect him in his new rights and to see that he was fed, clothed, educated, and not re-enslaved. The danger of being re-enslaved was ever present. Most of the Southern states had had 'black codes' before the war, and most of them passed new 'black codes' after it. The new legislature of Mississippi met in November 1865 and passed a 'black code' which was particularly abhorrent to the North. While the freedmen were granted various civil rights which they had not possessed before the war, certain restrictions were placed upon him which practically nullified the privileges and immunities he was expected to enjoy. For example, he was only permitted to own land in a city; he must carry a license showing his address and occupation; he could not possess firearms; if not employed he was liable to arrest as a vagrant and to a fine, and if he could not pay the fine he was bound over to labour for any white man who would pay it. The Southerner felt that it was absolutely essential to pass these 'black codes' in order to put and keep the negro in his proper place. They had a very disturbing effect on the North, where the vast majority of people felt that they were merely a concrete piece of evidence that the Southerners could not be trusted with the problem of reconstructing their own states. This

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caused thousands of Northerners who were in favour of President Johnson's liberal policy to abandon him and his ideas and to follow the leadership of Sumner and Stevens and the other members of the radical wing of the Republican party.

Johnson's Presidential plan worked very well until Congress met in December 1865. His liberal policy appeared to receive the unanimous support of the North, and he himself enjoyed great popularity. The radical leaders of the Republican party feared the growth of the moderate element within the national organization, and determined to take the entire matter out of the President's hands. Consequently, when the representatives from the South appeared in Washington to take their seats they were denied admission. This was largely due to the efforts of Thaddeus Stevens, the leader of the House. To him also is due the selection of a joint committee on reconstruction, consisting of nine members from the House and six from the Senate. This famous committee was the one which ultimately sealed the fate of the South. "Thus originated the famous reconstruction committee, which was to play so conspicuous a part in the drama now beginning; and thus was announced the congressional purpose that the organizations which had been created by the President in the south should not receive immediate, perhaps not eventual, recognition as the legitimate state governments. The chief motive in determining this attitude of congress was not a definite rejection of Johnson's view as to restoration, but a purpose to assert the right of Congress to a decisive voice in the matter." ¹

The issue was now clearly joined between the President and Congress. The first act in the great spectacle about to ensue was the Second Freedmen's Bureau Bill passed by Congress in January 1866, extending the scope of the Freedmen's Bureau and providing that whenever a state denied any of his rights to the negro the President should place it under martial law. Johnson almost immediately vetoed it on the ground that it was too big an attack on the authority

¹ Dunning, *Reconstruction, Political and Economic*, p. 52.

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of a state. Johnson thought that the entire North would back up his veto, but he was sadly disappointed. The only support he received was from Southerners and Northern Democrats. In an undignified speech on Washington's birthday, 1866, "he delivered a wild and incoherent harangue, in the course of which he denounced the joint committee on reconstruction as an irresponsible central directory" that had usurped "all the powers of Congress; charged Charles Sumner, Thaddeus Stevens, and Wendell Phillips with laboring to destroy the fundamental principles of this government; and even declared that some of his enemies desired to remove the presidential obstacle by assassination."¹ This speech deflected many of Johnson's supporters and strengthened the position of the radical members of the House and Senate.

About a month later Congress passed the Civil Rights Bill, which was planned to put in effect the Thirteenth Amendment and to put an end to the practical re-enslavement of the negro by means of the 'black codes.' It made all the freed slaves citizens of the United States, and gave them civil rights which could not be interfered with by state laws. On March 27, 1866, Johnson vetoed this measure, but his veto did not have the desired effect, because the measure was passed over his head amid great enthusiasm both in Congress and out. This act on the part of Congress was the final notice to the President that the problem of restoring the South had definitely passed out of his hands and rested with Congress alone. The Presidential plan of reconstruction was cast aside, and the Congressional or forfeited-rights plan took its place.

The important features of the Congressional plan were embodied in the fourteenth amendment to the Federal Constitution, which was approved by Congress on June 13, 1866, and submitted to the states. This amendment contained the essential features of the Civil Rights Act, and was added to the Constitution so that it could not be repealed by a later Congress. The amendment made the negro a citizen of the United States and of the state in which he resided, and forbade

¹ Haworth, *The United States in Our Own Times*, p. 26.

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a state to abridge the privileges and immunities of a citizen or deny him the equal protection of its laws. While the amendment did not give the negro the right to vote, it contained a provision which would make it beneficial to a state to do so. This provision stated: "But when the right to vote . . . is denied to any of the male inhabitants of such State, being twenty-one years of age, and citizens of the United States, or in any way abridged, except for participation in rebellion or other crime, the basis of representation therein shall be reduced in the proportion which the number of such male citizens shall bear to the whole number of male citizens twenty-one years of age in such State." A third provision made ineligible for office, either state or Federal, anyone who had held office under a state or the national Government and had then participated in the war of rebellion. Congress by a two-thirds vote could remove this disability. The amendment also stated that the debt of the United States was valid, "but neither the United States nor any State shall assume or pay any debt or obligation incurred in aid of insurrection or rebellion against the United States, or any claim for the loss or emancipation of any slave; but all such debts, obligations, and claims shall be held illegal and void."¹

The joint committee attempted to have a Bill passed providing for readmission into the Union of any Southern states which accepted the Fourteenth Amendment. Although this Bill failed, its principle was followed out with the readmission of Tennessee on July 24, 1866. The remainder of the Southern states refused outright to accept the amendment, which they considered an indignity and an insult. Without the consent of some of the Southern states it was impossible to get the necessary three-quarters vote for ratification. It was generally believed that the Southern states made a serious error in refusing to accept the terms of Congress. Rhodes said of this failure: "It was a sad blunder. Compared with the settlement of the other great wars, the plan was magnanimous, for it involved no executions, confiscations, or imprisonments. It restored the ballot to virtually every white man who would

¹ See Constitution, Amendment XIV.

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take an oath to support the constitution, and it did not admit the negro to the franchise, though it held out a reward to the states to confer the franchise upon him."

The Congressional elections of 1866 decided the question of how the people in general throughout the country felt toward the Presidential and Congressional plans of reconstruction. In a speaking tour referred to as the "swing around the circle" Johnson bitterly assailed his opponents in undignified and coarse language, and he returned to the capital in a much weaker position politically than he had left it. The results of the elections were overwhelmingly in favour of the radicals. Interpreting the election as an expression of the people's approval of the Congressional plan of reconstruction, Congress determined to abolish the Johnson governments in the South and to establish governments there that would ratify the reconstruction amendment.

The Great Reconstruction Act embodying the above-mentioned idea was passed over the President's veto on March 2, 1867. It divided the South into five military districts, over each of which there was to be a military officer, acting as governor, appointed by the President with the consent of the Senate. This governor was to preserve order even if it became necessary to establish martial law to do so. A constitutional convention was to be held in each state, the members of which were to be elected by all citizens regardless of colour. When this convention drew up a constitution, providing for negro suffrage, which was accepted by the voters and Congress, and when the newly organized state legislature accepted the Fourteenth Amendment and it became a part of the Constitution, the state was to be admitted into the Union and military rule withdrawn. Subsequent Acts of March 23 and July 19, both passed over the President's veto, provided for the registering of the voters and the holding of the elections for delegates to the conventions, and empowered the military officers to determine which of the white Southerners had the right to vote. On the same day that the Great Reconstruction Act passed (March 2, 1867) Congress passed a law curbing the power of the President. This was the Tenure of Office Act,

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which prevented the President from dismissing civil officers without the consent of the Senate. It was aimed to prevent Johnson from removing the Secretary of War, Stanton, who was one of the chief leaders of the radical opposition to the President. It was thought by Congress that if Stanton were removed and replaced by a man who held Johnson's beliefs a large part of the force of the Military Reconstruction Act would be lost.

The fears of Johnson's opponents were realized shortly. On August 5, during a recess of Congress, he wrote to Stanton that "public considerations of a high character" made his resignation necessary. Stanton replied: "I have the honour to say that public considerations of a high character, which alone have induced me to continue at the head of this department, constrain me not to resign the office of Secretary of War before the next meeting of Congress." Thereupon Johnson suspended Stanton and appointed General Grant to his office. When Congress reconvened it disapproved of the President's action, and in accordance with the provisions of the Tenure of Office Act Stanton resumed his duties. On February 21 he was peremptorily removed by an executive order and General Lorenzo Thomas appointed to fill the vacancy. Thomas was arrested for violating the Tenure of Office Act, and Johnson hoped that the case would reach the Supreme Court and the law would be declared unconstitutional. He was disappointed when Thomas was released and Stanton continued in office.

The dismissal of Stanton was seized upon as an overt act upon which the President could be impeached. Such an act had been sought for many months by Johnson's opponents. On February 24, 1868, the House passed a resolution "That Andrew Johnson, President of the United States, be impeached for high crimes and misdemeanors in office." The charges stated that Johnson had violated the Tenure of Office Act, had declared certain laws were unconstitutional, maliciously criticized Congress, and opposed Congress and reconstruction in general. After a trial which began on March 30 and ended in May, and during which the prosecution attempted to make the proceedings political rather than judicial, Johnson

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was acquitted by the Senate by a vote of 35 to 19, only one vote short of the number necessary for conviction.¹

The acquittal of Johnson was received with mingled shouts of dismay and approval. Probably a majority of the Northerners favoured his conviction, but most historians agree that the country was benefited by the retention on the part of the executive of a position in the Federal Government on a parity with that of the legislative branch.

RECONSTRUCTION IN THE SOUTH

The Southerners accepted the results of the war with fairly good grace. Had Johnson had his way in the settlement of the reconstruction problems there would probably not have been very hard feelings against the Northerners. When the liberal policy of Johnson was superseded by the radical programme of Stevens and Sumner, the outward composure of the Southerners was hastily discarded for a mingled feeling of rage and despair. This new feeling reached its height when the Southern states refused outright to accept the Fourteenth Amendment. The succeeding Acts of Congress only tended to crystallize the resistance of the former Confederates. The tangible results of the war had left them with scarcely any industrial pursuits and with no money or credit to rebuild them. In their struggle against granting the negro political and social equality they had nothing to lose and everything to gain. The establishment of military rule was met with a passiveness that astounded the Northerners; it merely strengthened the resolve of the Southerner to fight his former enemy with his own weapons, violence and fraud. In politics all the former members of political parties forgot their hatred for each other and formed one solid *bloc*, usually called the Conservatives, whose one reason for existence was the defeat of the radical policies of the Republican leaders in Congress. The pro-Union men who had voted for Bell and Douglas in 1860 against Breckinridge now seemed to forget their old animosities and stood shoulder to shoulder with the

¹ For the process of impeachment see the Constitution, Article I, Sections 2 and 3.

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former secessionists in an attempt to thwart the triumphant and apparently vindictive North.

As opposed to this solid Conservative party in the Southern states there sprang into existence a Southern Republican party which was destined to rule, or, more properly, misrule, the South for a decade. This Republican party was made up of three distinct groups of men, the 'carpet-baggers,' the 'scalawags,' and the newly enfranchised negro. The 'carpet-baggers' were composed of men from the North who had left that region "with all their possessions in a carpet-bag" (hence their name) in order to take a part in Southern reconstruction. Some came with idealistic motives to help the negroes, others to partake in rebuilding the shattered agricultural and industrial pursuits of the South, while others were merely adventurers who were seeking worldly gain in whatever manner they could find it. It was the last class that did most to arouse the hatred of the Southern whites. The second group of the embryonic Republican party was composed of the so-called 'scalawags.' These were native Southern whites who, to a large extent, were opposed to the planter class before the war, and who now hoped to get the control of politics in the South into their own hands. The Conservatives looked upon them as traitors to their section. To these two groups of whites was added the huge mass of unintelligent negroes who had had the franchise forced upon them by the Congressional plan of reconstruction. Distrust of their former Southern masters and unbounded faith in their deliverers threw them almost to a man into the ranks of the Southern Republicans. When the vote was first granted to the negro he was under the influence of unscrupulous leaders of his own race, mainly mulattoes, but as the party organization was perfected and the better class of 'scalawags' and 'carpet-baggers' was pushed into the background, he came under the evil influence of the scheming, unmoral, wily, cheap politicians, which type now predominated in the 'scalawag' and 'carpet-bag' elements.

After the Military Reconstruction Act of 1867 was put in force, and the Union army was in command of the five military

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districts, the reconstruction of the South moved very rapidly. The generals in command usually kept in office the men who were serving under the Johnson governments, unless they opposed the reconstruction programme in a decided fashion. The old laws of the states were kept in force when they did not conflict with the restoration policy. Many districts, however, were continually subjected to martial law, particularly where the unreconstructed Southern whites¹ used violence to prevent the freedman from exercising his new political right of the ballot. By October 1, 1867, the registration of all the legitimate voters in the South was completed, in accordance with the provisions of the great Reconstruction Act. The whites and blacks registered in full force. Delegates to the constitutional conventions were duly elected and the constitutions drawn up. Having met with the conditions imposed by Congress, all of the Southern states which had rebelled against the Union were readmitted by 1870. Although every one of the new Southern constitutions contained a provision giving the negro the right to vote, the radical leaders of the North feared that when the Southern whites got control of their states again he would be disenfranchised. In order to make this impossible they determined to add negro suffrage to the Federal Constitution. Although the scheme met with opposition from the moderate Republicans, it was finally forced through by the radicals on February 27, 1869. It provided that "The rights of citizens of the United States to vote shall not be denied or abridged by the United States, or by any State, on account of race, color, or previous condition of servitude." Having been accepted by the necessary number of states, it was proclaimed on March 30, 1870.

The programme of the radical Republicans was now completed, the Southern whites had been crushed by military force, the negroes had been granted unqualified suffrage, and although the Southern states had been restored to the Union, they were under the control of the intriguing and unscrupulous 'carpet-baggers' and 'scalawags,' who depended on the negro and the Federal army for their continuance in power.

¹ Those Southerners who refused to accept the outcome of the war.

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The programme was doomed to fail for several reasons : (1) the growing weariness of Northern people of the " eternal Southern problem " ; (2) the prevalence of fraud and incompetency in the new governments in the South ; (3) the increasing confidence of the South that it could manage the situation in its own way ; (4) the deterioration of the Southern Republican party itself, by which the more respectable ' carpet-baggers ' and Southern whites were forced to give way to corrupt men ; (5) the rise of the Ku Klux Klan, a secret and violent organization, which struck at the activities of the negroes and their white leaders and paralysed their worst efforts, while it gave courage to the whites and showed them how to neutralize negro suffrage.¹

A secret organization called the Union League, which had originated in the North during war times, was used by the corrupt white leaders of the negroes to unite them into one huge organization for political purposes. It was also claimed by many Southerners that the whites encouraged the members of the League to commit acts of violence. To counteract this organization the Southern whites formed several organizations along similar lines to intimidate the negro and his white friends. Although known by several names such as the ' Invisible Empire ' or ' Ku Klux Klan,' the ' Knights of the White Carmelia,' the ' White Brotherhood,' the ' Pale Faces,' the ' Association of '76,' etc., the purpose, aims, and methods were strikingly similar. The most powerful and widespread of them all was the Invisible Empire, or Ku Klux Klan. This was organized as an amusement circle (kuklos) in 1866 at Pulaski, Tennessee. The ghostly robes and antics affected by the merrymakers were noticed to have a tremendous effect upon the ignorant and superstitious negroes. This transformed the Klan into an organization for frightening the black men. Serious-minded Southerners saw the possibilities of aiding their cause by means of the Klan, and the movement rapidly spread to other Southern communities. As the fright of the negroes gradually diminished, more violent methods were resorted to, and whippings, tar and feathers,

¹ Bassett, *A Short History of the United States*, p. 626.

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maiming, and even death were visited upon the negro and sometimes upon his corrupt leaders. In 1867 the various Klans were gathered together into one strongly centralized unit known as the Invisible Empire. At its head was the grand wizard with his ten genii. Each state became a realm under the leadership of a grand dragon and eight hydras, each Congressional district was a dominion ruled over by a grand titan and his six furies, and almost every community had a den, in charge of a grand cyclops and his two night-hawks. The den did most of the actual work, carrying out its ghostly work with the utmost secrecy. Many of the dens began to commit excesses, and by 1869 these became so flagrant and frequent that the grand wizard ordered the dissolution of the Ku Klux Klan. This order was not carried out completely, inasmuch as the local organizations continued in existence. The conservative Southern whites feared that the rash acts of these unruly elements would cause the Federal Government to send troops to the South to suppress the lawless knights. Their fears were partially realized when Congress passed the Ku Klux Act in 1871, which suspended the writ of *habeas corpus* and enlarged the powers of the Federal courts in order to deal with the situation. The activities of the Ku Klux Klan did much to scare the negro away from the polls, but this result was somewhat nullified by the closer control the central Government kept over the registration and voting places. Naturally the enforcement of these more stringent regulations fell into the hands of the 'carpet-baggers' and 'scalawags.'

The Republican party in the South was organized largely to plunder that section, and their control of the Southern states was accompanied by acts of extravagance, waste, and 'graft,' the like of which the country had never witnessed. As the Southern whites were the propertied and substantial class, it was merely a question of time when they should get control of their own states, provided the Federal Government did not send down a huge army of occupation to keep the corrupt Republican governments in power. The weariness of the North of the "eternal Southern problem" effectively prevented this. When thus let alone the carpet-

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bag governments lost control of the states, and by 1877 all of them had returned into the hands of the legitimate masters.

While in power, however, the Southern Republicans seized every opportunity to make their fortunes. Corruption and 'graft' prevailed everywhere. North Carolina will serve as a good example of the depths to which the 'carpet-baggers' and 'scalawags' sank. The public debt was increased to \$27,000,000, and taxes increased fourfold. The legislature was filled with black and white ignoramuses, who received eight dollars per day for squandering the public funds. "In refurnishing the State House \$4 looking-glasses were replaced by \$650 French mirrors, \$1 chairs by \$60 chairs, \$5 clocks by \$600 ones, 40-cent spittoons by \$60 imported china cuspidors, and in four years over \$200,000 was paid out for furniture, the appraised value of which in 1877 amounted to \$17,715. Under the heading of legislative supplies were included such items as champagne, best Westphalia hams, imported mushrooms, finest plush velvet tête-à-têtes, feather beds, suspenders, ladies' hoods, bonnets, chemises, gold watches, garters, perfumes, palpitators, and a metallic coffin. Needless to say, many of these articles did not long remain in the State House."¹ The conditions in the other Southern states were practically the same as these. The thieving legislatures were kept in power by the point of the bayonet, and it was not until the Southerners had practically intimidated the negro by various forms of violence, and thus kept him from the polls, that the Southern whites were able to regain possession of their devastated and plundered states.

The violence on the part of the Southerners led to a series of Acts passed during Grant's two administrations which aimed at putting an end to the practical reign of terror that existed south of Mason and Dixon's line. The first of these was the Enforcement Act of 1870, which claimed that the Federal Government could correct any infringements of the Fourteenth and Fifteenth Amendments. In 1875 most of the provisions of this Act were declared unconstitutional. The second repressive measure was the Ku Klux Act of 1871, which has

¹ Haworth, *The United States in Our Own Times*, pp. 58-59.



DISGUISES WORN BY THE KU KLUX KLAN
Sketched in 1868 after a raid in Alabama

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been mentioned above. This Act was declared unconstitutional in 1882. A second Enforcement Act was passed in 1871. This placed the control of elections in the hands of Federal officials. Most of the provisions of this Act were repealed by later sessions of Congress. The Civil Rights Act of 1875, which gave the negro equal rights with whites in hotels, theatres, and public utilities, was declared unconstitutional by the Supreme Court in 1883. The usual reasoning of the courts in these cases was that the Federal Government was invading the realm of those rights granted to the states by the Federal Constitution. The severity of these Acts was somewhat softened by a General Amnesty Act passed in May 1872, which removed the disabilities of all but about five hundred of the ex-Confederates. Full amnesty was granted to the few Southerners who had not already received it on June 6, 1898. Thus ended the reconstruction period, which, because of the rather vindictive policies of the Northern radicals, has often been referred to as the "crime of reconstruction."

FOREIGN RELATIONS, 1865-77

When President Johnson came into office he was faced with a difficult Mexican problem. That unfortunate country was in a chaotic state of chronic disorder. Foreign subjects were continually singled out for maltreatment, and were often murdered, despite diplomatic remonstrances from their native countries. Public and private debts were incurred in great amounts, and were very often repudiated. Mexico apparently took advantage of the fratricidal war north of her borders to commit greater excesses. In 1861 Great Britain, France, and Spain signed an agreement to intervene in Mexico because of the arbitrary, vexatious conduct of the Mexican Government. These European countries stated that they did not wish any territorial or other advantages and that Mexico's freedom to choose her own form of government would not be interfered with. After seizing the port of Vera Cruz, Spain and Great Britain withdrew, because they soon realized that the intentions of France were not as Napoleon III had expressed

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them. Spain and Great Britain merely wanted to remedy almost intolerable conditions, while France was seeking an empire. Napoleon III had impressed upon his military commander "the duty of marching upon Mexico, there boldly planting our flag and establishing perhaps a monarchy, if not incompatible with the national sentiment of the country." After her two allies withdrew, France proceeded to capture Mexico City, and established Archduke Ferdinand Maximilian, brother of Emperor Francis Joseph of Austria, upon the newly set up throne of Mexico. The Mexicans, under the leadership of Juarez, kept up a continual though irregular warfare against Maximilian's rule.

Lincoln realized that the action of France was in violation of the Monroe Doctrine, but because of the rebellion against the Federal Government he was only able to protest in a diplomatic way. After the war was over General Sheridan was ordered to concentrate a large force of seasoned veterans along the Rio Grande. The presumption was that the French troops were to be expelled by force. President Johnson and Secretary of State Seward informed Napoleon III in no uncertain tones that he must abandon his imperialistic adventure. Overawed by the prospects of a war with the United States and the unpopularity of the expedition at home, Napoleon III reluctantly announced his intention to withdraw his troops (1866). By the spring of the following year all French troops were withdrawn, and Maximilian was left alone with the insecure support of the clerical party. He was soon captured by the Mexicans under Juarez, and was condemned to death. The action of the United States in this instance was very firm, and announced to the world that she was willing to fight for the principle which had become one of the important policies in her foreign relations.

Secretary Seward, one of the ablest statesmen the United States had produced, was largely responsible for the purchase of Alaska from the Russian Government. The Russian ambassador to Washington, Baron de Stoeckl, was authorized to approach the American Government on the subject of the Alaskan purchase. This move was actuated by the difficulties

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of administering such a remote territory, as well as by the fear that Great Britain might seize it. Seward, an ardent expansionist, grasped at the idea, and formed the treaty in one evening's conference. The result was that the United States was to pay \$7,000,000 outright and assume claims amounting to \$200,000. The treaty was forced through the Senate under the able leadership of Sumner, but met with considerable opposition in the House.¹ It was ratified on October 11, 1867, and Alaska came into the possession of the United States. Although Alaska was referred to as 'Seward's folly' and 'Johnson's polar-bear garden,' its fish, furs, and minerals have repaid its cost many times over.

Relations with Great Britain throughout this period were anything but friendly and cordial. Most of the Northerners believed, with considerable justification, that England would have preferred the Confederates to have won the war. The anti-British feeling was greatly augmented by the sympathetic interest many Americans had for the Irish, who were carrying on a widespread propaganda in the United States. Irish Fenians had organized an Irish republic in Philadelphia in 1855, and one branch of the Fenians made several attempts to 'invade' Canada. The Washington Government spared no effort to check these inroads, which were a clear violation of international law.

The chief cause of unfriendliness between the two countries was the dispute over the *Alabama* claims, which have been mentioned above. An attempt to settle them through diplomatic channels failed in 1868, largely because the Americans felt that Great Britain had not recognized her responsibility sufficiently to offer a satisfactory indemnity. Sumner, the chairman of the foreign relations committee, was loudly applauded when he suggested that Great Britain should cede Canada to the United States in payment for the damages which, he estimated, directly and indirectly

¹ Although treaties are negotiated, according to the Constitution, by the President, with the advice and consent of the Senate, any treaty needing an appropriation of money must receive the same as a result of a revenue Bill, which can originate only in the House of Representatives.

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amounted to more than \$2,000,000,000. President Grant's message to Congress on December 5, 1870, clearly showed that the United States was not unwilling to go to war to enforce its claims. He recommended that "Congress authorize the appointment of a commission to take proof of the amount and ownership of the private claims as well as the responsible control of all the demands against Great Britain." This veiled threat, combined with the failure of France in the Franco-Prussian War, forced the British Government at least to discuss the claims.

On February 17, 1871, a joint high commission, composed of five members from each country, met in Washington, and after weeks of discussion drew up the Treaty of Washington, which was quickly ratified by the two nations. Great credit for this achievement is due to the American Secretary of State, Hamilton Fish, Sir John Rose, a member of the Canadian Cabinet, and Thornton, the British minister. The Gladstone Government displayed a friendly spirit throughout the entire proceedings. The treaty expressed regret over the escape of the *Alabama* and other commerce-raiders from British ports, and referred the claims to a tribunal of five persons, one appointed by Queen Victoria, one by President Grant, and one each by the President of Switzerland, the King of Italy, and the Emperor of Brazil. Boundary and fishery disputes were also submitted to arbitration. The arbitration commission finally fixed the amount to be paid by Great Britain to the United States at \$15,500,000. The settlement of such a vexatious question by peaceable methods rather than by resort to the sword was a transcendent triumph for international peace and good-will.

Other international incidents during this period include an unsuccessful attempt to annex Santo Domingo (1870) and a tilt with Spain over the execution of eight American citizens seized on the *Virginus*, a vessel engaged on a filibustering expedition to Cuba. War between the two countries was narrowly averted when the Spanish Government agreed to make reparation and it was discovered that the *Virginus* had no legal right to fly the American flag.

CHAPTER II

REPUBLICAN DOMINATION

THE close of the Civil War with its final settlement of the slavery question left the Republican party without an issue. If it were to continue a dominant political party new issues must be found. During the reconstruction period the issue that the Republicans clung to was that of the radical members of the party, namely, the Southerners must pay the price of rebellion. As the restoration of the South neared its completion, the Republicans gradually aligned themselves with the financial interests of the country and became the champions of sound money, commercial and industrial expansion under Government tutelage, and the protective tariff. The Democratic party, almost destroyed by the loss of the South and the epithets hurled at the Northern members because of their opposition to radical reconstruction, became merely a party of protest after the close of the war. They found themselves in the position of permitting the Republicans to choose the issues, which they then opposed. The gradual decay in the moral tone of the Republican party, however, gave the Democrats an issue which was to sweep them into power in the election of 1884.

ELECTIONS OF 1868 AND 1872. POLITICAL DECAY

During 1867 the outlook of the Republicans was not very bright. In that year the Democrats carried several Northern states, and negro suffrage, the pet hobby of the radical Republicans, was decisively defeated in Ohio, Michigan, Minnesota, and Kansas. This gloomy prospect was somewhat counterbalanced by the fact that several of the Southern states had been reconstructed and were expected to cast

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their electoral votes for the Republicans. This expectation was largely based on the stranglehold that the 'carpet-baggers' had upon the prostrate South. Besides this unnatural assistance, the Republicans determined to strengthen their position further by nominating General Grant, the hero of Appomattox and a national idol. Although his sympathies were with the Democratic party before the war, a chain of circumstances threw him into the arms of the radical Republicans. The chief event in this chain was a bitter and open quarrel he had with President Johnson. Consequently, when the Republican convention met in Chicago in May 1868 there was very little opposition to the selection of Grant. The platform was very evasive, and asked for support on the basis of what had been done toward reconstruction rather than on the future policy of the party. "On negro suffrage, however, the warning contained in the elections of 1867 was heeded, and this masterpiece of evasion was presented: 'The guarantee by Congress of equal suffrage to all loyal men of the South was demanded by every consideration of public safety, of gratitude, and of justice, and must be maintained: while the question of suffrage in all the loyal states properly belongs to the people of those states.'"¹ Schuyler Colfax, Speaker of the House of Representatives, was nominated for the position of Vice-President. The keynote to the entire campaign was Grant's concluding sentence in his letter of acceptance, when he wrote, "Let us have peace." The Democratic convention met at New York, July 4, 1868. It was dominated by two groups, one the supporters of Chief Justice Chase, who believed in reuniting the Democratic party on the old Democratic principle, strict construction, low tariff, and 'hard money,' and the other led by General Francis P. Blair, jun., who believed that the Democrats should fight the Democrats on the reconstruction issue. Another influential element was that led by Pendleton of Ohio, who wished the Democrats to stand for 'soft money,' an issue that was very popular with the farmers and the debtor class of the West. This wing of the Democrats succeeded in

¹ Dunning, *Reconstruction, Political and Economic*, p. 128.

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writing the platform¹ which demanded "one currency for the Government and the people, the laborer and the office-holder, the pensioner and the soldier, the producer and the bond-holder," taxation of Government bonds, and payment of the obligations of the Government in "lawful money" when specie was not specifically provided. This group, although it was strong enough to have its ideas embodied in the platform, did not control the two-thirds vote necessary for the selection of a candidate. Seymour of New York and Blair of Missouri were the choice of the party.

In the election which followed Grant was returned a victor by an electoral vote of 214 to 80, and had a popular majority of more than 300,000. When Grant took office and began his duties as President his military greatness was emphasized by his failure as a statesman and a politician. He appointed a nondescript Cabinet which, with two or three exceptions, was incapable of administering the departments under its control. "In his military career Grant's natural reserve and taciturnity had been eminently appropriate and useful. In political life they proved much less so and accentuated the difficulty which flowed from his lack of matured judgments on public affairs. To supplement the deficiencies in his equipment the most influential agency was the unlimited trust and devotion which he gave to those who in any way won his personal esteem. His judgment was rarely strong enough to put the proper estimate on a policy which was presented to him with the support of an intimate friend, and his dogged refusal to see that his friendship had been used for unworthy purposes, when the fact was obvious to everybody else, was a source of unlimited scandal. Of rather less weight than the personal was the party influence in determining Grant's policy. He felt in a general way that he was a Republican; but his perception of what that party really meant in the conduct of the administration was vague, and

¹ Each party presents to the voters a written 'platform'—that is, those things which that party believes in and which it will put into operation if elected. This 'soft money' element of the Democratic party was strong enough to make its platform that of the party.

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the difficulty of ascertaining which of the various factional projects that came to his notice reflected the real party will was insuperable. Hence the tendency of his own temperament was confirmed to regard himself as truly representing the people and to act upon the impulses of his independent judgment. The result was inevitably an administration of caprice, of favorites, and of malodorous intrigue." ¹

Grant's general policy toward the South was one of leniency ; but he was gradually swung round to the radical Republicans' point of view. He was largely responsible for the armed support given to the Southern Republicans under the provisions of the Enforcement Acts mentioned above. This attitude was seized on by the Democrats as campaign material. Another feature of Grant's administration that gave the Democrats a point of attack was the gradual control gained over him by the spoilsmen of his party. They practically compelled the resignation of the members of the Cabinet who favoured civil service reform. His early attempts to foster the reform movement were abandoned when the spoilsmen and the reformers were continually bickering. Another event that caused defections within his own party and gave strength to the Democrats was Grant's apparent connexion with Jay Gould and James Fiske, jun., in an attempt to corner the gold market in 1869. Gould and Fiske were aided considerably by Grant's order to the Secretary of the Treasury that he should sell no more gold. Grant thought he was aiding the farmers by this action, although in reality he was playing into the hands of the unscrupulous speculators. When he saw the turn of events he ordered the Secretary of the Treasury to sell gold again. This brought about the panic of ' Black Friday,' September 24, 1869. Many accused Grant of having benefited by the scheme, but it is now realized that his trustfulness in mankind made him the dupe of Gould and Fiske.

The low tone of public morality during Grant's first administration was clearly reflected by the party conventions of 1872. The Liberal or reform element in the Republican

¹ Dunning, *Reconstruction, Political and Economic*, pp. 178-179.

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party, which favoured a less harsh policy of reconstruction, determined to leave the regular party and put a candidate of their own in the field. The leader of this reform movement was Carl Schurz of Missouri. It attracted to its banner such figures of national prominence as Charles Francis Adams and Horace Greeley, editor of the powerful *New York Tribune*. A national convention was held in May 1872, and Greeley was nominated on a platform which attacked Grant's administration from practically every angle. The Democratic convention held in July endorsed Greeley's candidature, probably hoping to gain the election as a result of the split in the Republican ranks. It seemed peculiar to select an avowed protagonist of protection as the candidate of a party whose tariff policy was one of free trade. Grant was unanimously renominated by the Republicans in June.

The campaign was intensely personal. Greeley was bitterly and relentlessly attacked. Throughout his career he had been a harsh opponent of the Democrats, and much campaign material was made of his opposition to tariff and civil service reform, two of the chief planks of the Democratic platform. The Republicans emphasized the military genius of Grant and made light of his errors. The result was an overwhelming victory for Grant. The electoral result was 272 to 66. Greeley carried but six states, Georgia, Kentucky, Maryland, Missouri, Tennessee, and Texas. The Republican majority in Congress was increased by seventy votes.

Grant's sweeping victory was interpreted by the regular Republicans as an endorsement of his first administration. The result was that scandals in which the President had no personal participation multiplied and became such a pressing topic of current interest that the searchlight of public opinion was turned upon them. The *Crédit Mobilier* frauds, when exposed, involved many prominent members of Congress. The *Crédit Mobilier* was a company formed by the stockholders of the Union Pacific Railroad to construct the railroad at a huge profit. Oakes Ames, a member of the House from Massachusetts, distributed many of the shares of the valuable *Crédit Mobilier* to Congressmen, or, in his own words, where

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they "would do the most good." The Congressional investigation that followed the election of 1872 involved many prominent members of Congress and Schuyler Colfax, the Vice-President. The same Congress that investigated the *Crédit Mobilier* fraud passed the 'Salary Grab' Bill, which increased the pay of the members of both Houses of Congress, the Cabinet, the President, and judges of the Supreme Court. In the case of the members of Congress the Bill was retroactive. The public's outcry was so great that the next Congress repealed the obnoxious 'back-pay steal' measures. These two scandals, combined with the election frauds that were prevalent throughout the entire South, caused a revulsion of popular feeling against the Republicans and resulted in the 'tidal wave' of 1874, during which the Republican majority in the House of Representatives was reduced to a one-third majority.

Despite this setback, corruption in the Republican ranks continued. In 1875 the 'Whisky Ring' was exposed. This was a huge conspiracy between whisky distillers and internal revenue men to cheat the Government out of internal revenue duties. Grant's private secretary was accused of being a member of the ring. At first the President determined to prosecute the affair to the uttermost, but as time went on his ardour cooled and the ring escaped. Grant's change of heart led many to believe that he himself was a beneficiary of the fraudulent scheme. There is no evidence to substantiate this theory, however. Bristow, Grant's Secretary of the Treasury, was largely responsible for the unearthing of the scandal, and he resigned his position as a result of the President's lukewarm attitude. Close on the heels of this disgraceful affair came the disclosure that Belknap, Grant's Secretary of War, was accepting Government money from an Indian agent. When impeachment proceedings were brought against him he immediately resigned, and Grant was again accused of implication when he accepted the resignation "with regret."

"There were so many public scandals in these years that one eminent historian has characterized the period as 'the

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high water mark of corruption in national affairs,' while another has termed it ' the nadir of national disgrace.' ” ¹

THE ELECTIONS OF 1876 AND 1880

As the Presidential year of 1876 approached both Democrats and Republicans saw that one of the chief issues was bound to be the demoralization that pervaded the administrations of Grant. The Republicans, realizing that the ' tidal wave ' of 1874 would probably be repeated in 1876 because of the ' Whisky Ring ' and Belknap exposure affairs, determined to divert public opinion from the indefensible bribery and corruption that honeycombed Washington to some other issue. This was successfully accomplished by James G. Blaine, a member of the House, and a man of tremendous popular magnetism. He seized his opportunity when a Bill was introduced to grant amnesty to all Southerners still under political disability. He introduced an amendment providing that Jefferson Davis should be excluded from the provisions of the Bill. This had the desired effect. The Southerners in Congress came to the defence of Davis, and the entire question of Southern rebellion and treason was again in the limelight and became the prominent issue of the campaign. Partly as a result of this action he was accused of complicity in dishonest relations with a Western railroad. By rather shady means Blaine got possession of some of the evidence against him and refused to give it up. He made a speech in the House defending his attitude and read some of the evidence, but he failed to convince the majority of the people that he was innocent.

As the time for the Republican convention approached many names were mentioned as possible candidates. The spoilsmen were desirous of nominating Grant for a third term, but were effectively checked when the House of Representatives passed a resolution stating that the breaking of a time-honoured custom " would be unwise, unpatriotic, and fraught with peril to our free institutions." Blaine was undoubtedly the leading candidate, although the above-

¹ Haworth, *The United States in Our Own Times*, p. 81.

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mentioned scandal and his open break with Roscoe Conkling, senator from New York, and one of the most prominent spoilsmen, greatly lessened his chance of election. Conkling was a candidate, as was the former Secretary of the Treasury, Bristow, and Governor Rutherford B. Hayes of Ohio. When the convention met the early balloting favoured Blaine, but he was not able to get a majority of the votes. On the seventh ballot Hayes received a majority of five. Wheeler, a member of the House from New York, was selected as his 'running mate.' The platform was very weak and evasive, the most important plank, apparently, declaring that the Democratic party was "the same in character and spirit as when it sympathized with treason."

The Democrats held their convention in June, and adopted a platform which was based largely on the demand for reform. The country must be saved "from a corrupt centralism, which, after inflicting upon ten states the rapacity of 'carpet-bag' tyranny, has honeycombed the offices of the Federal Government itself with incapacity, waste, and fraud, infecting states and municipalities with the contagion of misrule, and locked fast the prosperity of an industrious people in the paralysis of 'hard times.'" ¹ On the second ballot Samuel J. Tilden, governor of New York, was selected for the Presidential candidate. For the Vice-Presidency Governor Hendricks of Indiana was chosen. He had come into political prominence by breaking up the corrupt 'Tweed Ring' in New York and by dissolving the equally corrupt 'Canal Ring' after he became governor. He was an excellent organizer and a man of great intellect, although he had a cold and calculating nature that repelled popular enthusiasm.

The campaign was waged by the Democrats largely round the issue of reform. The Republicans sought to avoid this vulnerable point of attack by "waving the bloody shirt," as the policy of attacking the Democrats and their relations with the rebel South was called. The election was very close, and the result in doubt for a long time, despite the fact that the Republicans were ready to concede a Democratic victory

¹ Democratic Platform, 1876.

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the day after election. When the uncertainty had cleared away to some extent it was discovered that Tilden would receive 184 electoral votes, one less than a majority, and that Hayes would receive 166 votes, and that the seven votes of South Carolina, the eight of Louisiana, the three of Florida, and one of Oregon were doubtful. If all these doubtful votes were cast for Hayes, he would be elected by one vote; if one of them were cast for Tilden he would be elected. The trouble in Oregon was that, although the Republicans had carried the state, one of their electors was a Federal official, which violated the United States Constitution.¹ In the three Southern states, which were still under the control of the Republican 'carpet-baggers,' so much fraud had been committed that it was almost impossible to determine who was elected. The result was that two sets of returns, one for each candidate, were sent to Washington from South Carolina, three from Florida, two Democratic and one Republican from Florida, and four altogether from Louisiana.

When the electoral votes were cast and forwarded to Washington the question immediately arose as to who should count them. The Constitution is very vague on that point, merely stating that "the President of the Senate shall, in the presence of the Senate and House of Representatives, open all the certificates, and the votes shall then be counted."² The Republicans claimed that the President of the Senate should count them, but the Democrats claimed that no vote would be valid without the consent of the House of Representatives. At this time the Republicans controlled the Senate and the Democrats the House. Feeling ran very high throughout the country. Threats of settling the question by force of arms were whispered everywhere. Fortunately, no outbreak occurred, and Congress arranged a plan whereby an electoral commission was to be established, composed of five representatives, five senators, and five justices of the Supreme Court. The House selected three Democrats and two Republicans, and the Senate two Democrats and three Republicans, and in the Supreme Court two from each party

¹ Article II, Section 1.

² Amendment XII.

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were expected to select a fifth member. The member finally selected was Justice Joseph P. Bradley, a Republican, but the most acceptable man to the Democrats.

After considering the undecided electoral returns, the electoral commission, by a strict party vote of 8 to 7, decided all the disputed ballots in favour of the Republicans. The final result was not known until the early morning of March 2, 1877, two days before the time set for inaugurating a new President. Hayes and Wheeler were declared to be duly elected by a vote of 185 to 184. Immediately upon taking office Hayes withdrew the Federal troops that had been responsible for his election in South Carolina, Florida, and Louisiana; the 'carpet-bag' Governments fell immediately, and the Southern whites were again in control of the entire South, which now came to be known as the 'solid South,' because of its absolute hatred of and opposition to the Republican party, the source of many of its evils. Left to itself, the South soon got rid of the fear of negro domination through the ballot by imposing educational and property qualifications for the franchise. In this way they avoided conflict with the Fifteenth Amendment. The provision of the Fourteenth Amendment requiring the reduction of representation when male citizens twenty-one years of age and over were denied the right to vote has never been enforced, although many Bills proposing its enforcement have been introduced in Congress.

The administration of Hayes was marked by a definite split in the Republican party. The withdrawal of Federal troops from the South, and the unwillingness on the part of the President to follow the dictates of the 'machine' politicians, led to a break within the Republican ranks along the lines of party action. Those who favoured the running of the Government for the benefit of the party were called 'stalwarts,' and those who favoured reform within the party were named 'half-breeds.' The leader of the former faction was Roscoe Conkling, and of the latter, to a large degree, James G. Blaine. As the election of 1880 approached the 'stalwarts' determined to nominate a candidate who would

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bring back the "good old days." As Hayes was not satisfactory to them they gladly seized upon his statement of 1876 that he would not be a candidate again as an excuse for not renominating him. They selected as their choice Grant, who had just returned from a triumphal tour of the world which had further endeared him to the American people. Grant's chief opponent for the nomination was James G. Blaine, who, while not entirely satisfactory to the reformers, would be acceptable if they could not secure the selection of their own candidate, Senator Edmunds of Vermont. The convention met at Chicago in June 1880. Ballot after ballot was taken, but neither Grant nor Blaine could command the votes necessary for the nomination. On the thirty-sixth ballot James A. Garfield of Ohio, a 'dark horse,' was selected. As a sop to the Conkling men they were permitted to choose the Vice-President. They decided upon Chester A. Arthur, one of the most rabid 'stalwarts,' a man whom Hayes had removed from the position of collector of the port of New York when he determined to reform it.

The Democrats were expected to nominate Tilden, in order to right the "wrong of 1876." He was not an available candidate, however, because of his personal unpopularity and because there was a suspicion that he was cognizant of Democratic efforts to purchase electoral votes in the disputed election. Consequently the Democrats selected General Hancock on the second ballot of the convention, which met at Cincinnati on June 2, 1880.

The campaign, which was without real issues, was fought merely on personalities. The Democrats made unsuccessful attempts to connect Garfield with many of the scandals of the Grant administrations. The result of the election was 214 votes for Garfield and 155 for Hancock. The Republicans also carried the House and had the same number of members in the Senate as the Democrats.

Shortly after his inauguration Garfield had a bitter quarrel with Conkling, the leader of the 'stalwarts.' The dispute arose because Garfield appointed Blaine, Conkling's

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deadly enemy, as Secretary of State. Conkling and Thomas C. Platt resigned their positions as senators from New York, and demanded vindication by being re-elected by the New York state legislature. Much to their surprise and chagrin, the state legislature elected two other men. Garfield's short administration was marred by the exposure of gigantic frauds in the Post Office department. Garfield himself was continually besieged by representatives of the 'stalwart' faction, whose greed for patronage seemed insatiable. Many of them were disappointed, and one of the disappointed men, Charles J. Guiteau, showed his rage by shooting President Garfield on July 2, 1881. After an heroic struggle Garfield died on September 19, 1881, at Elberon, New Jersey. Chester A. Arthur, although a strong 'stalwart,' seemed sobered by the dastardly assassination of Garfield, and earned during his three years as President a reputation for straightforwardness and honesty. Garfield's death practically determined that the campaign of 1884 was to be fought on the reform issue, and made it almost certain that the candidate with the best personal record and party connexions would be the victor.

CHAPTER III

EXPANSION AND ECONOMIC DEVELOPMENT

THE close of the Civil War and the settlement of the slavery question gave the unbounded energies of the united nation an opportunity to develop the vast territorial and economic resources of the country. The eyes of the nation were turned upon the huge and comparatively unsettled region between the Mississippi and the Rocky Mountains. This vast district, comprising two-thirds of the area of the United States, had a population of only a million and a half in 1860. Thousands of miles of this region were inhabited by warlike tribes of wandering Indians and herds of wild buffalo. Half a century later wild buffalo were a novelty and the Indians had largely succumbed to the civilizing influence of their white conquerors. "This marvelous transformation of the romantic 'Wild West' of buffalo herds and 'hostiles' to a peaceful land of ranches and railroads, of wheat fields and fruit farms, of dams and irrigation ditches, of mines and macadam roads, forms one of the biggest facts in American history and is worthy of study."¹

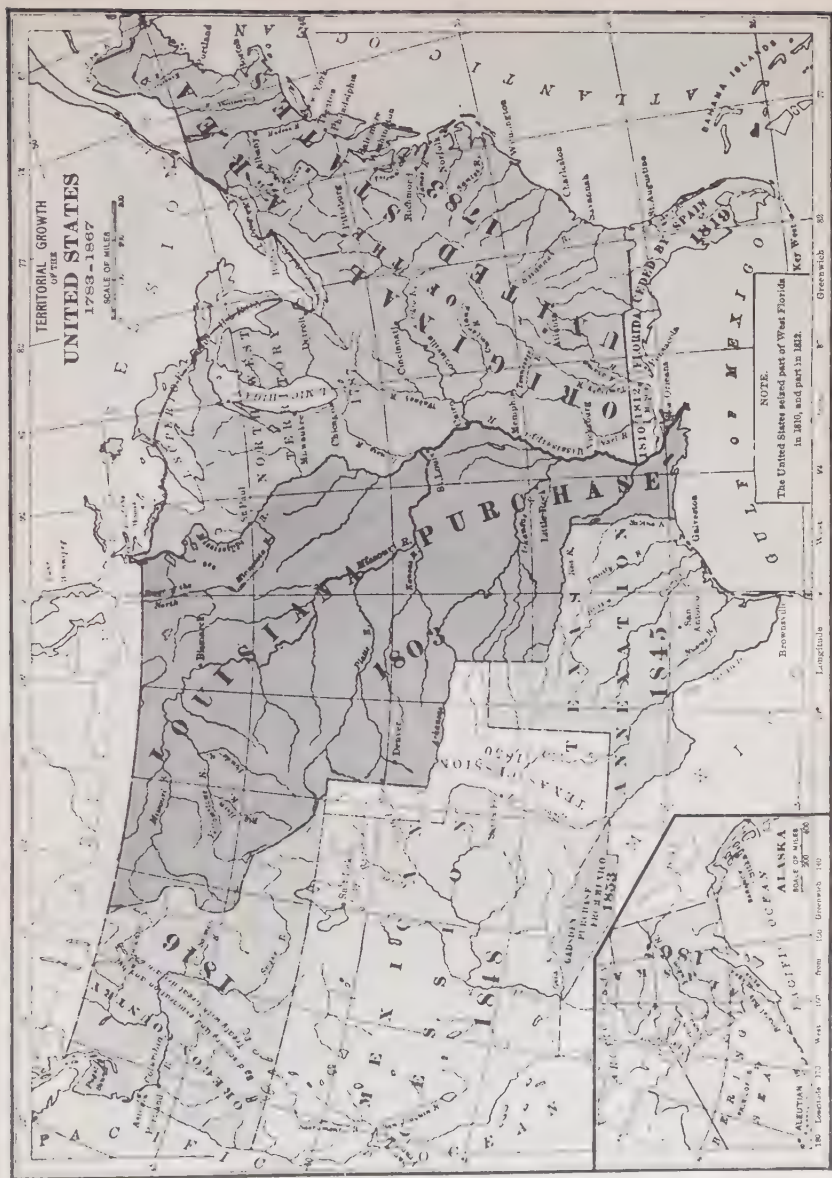
The settlement of this 'empire' in the Middle West in the years immediately following the Civil War was a counterpart of the struggle against the aborigines during the time the land east of the Mississippi was being settled. The Indians were continually being pushed from the more desirable land, and treaties and agreements made with them were ruthlessly broken as the needs and greed of the white man increased. Even the treatment of the peaceful Indians on the Government reservations was marked by the 'graft' and

¹ Haworth, *The United States in Our Own Times*, p. 100.

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scandalous corruption that pervaded the Government at Washington and in the states and municipalities. Money appropriated for the upkeep of the Indians was spent on inferior food and supplies, and the surplus found its way into the bottomless pockets of the insatiable Indian 'ring.' Many of the white men of the West looked upon the Indian as an inferior being with no rights that the white man was bound to respect, and this attitude was the cloak which covered many crimes and robberies committed against the red man. The Indian himself was not entirely blameless for the years of warfare and oppression that were to ensue. Normally he was shiftless, lazy, licentious, and warlike. The art of warfare was his chief vocation, and he gloried in his 'scalps' and bloody deeds. His belligerent nature and the encroachments of the white man made armed conflict inevitable for the possession of the fertile plains between the Mississippi and the Rocky Mountains.

For twenty-five years after the close of the Civil War this region was the scene of terrible conflicts between the red men and the white. Although few engagements reached considerable size, the United States army was nevertheless kept on the alert from the Canadian border to the Mexican, jumping hither and thither to put down the uprisings of the 'hostiles,' as the Indian warriors were called. The two strongest tribes were the Sioux in the North and the Apaches in the South. The Sioux were particularly hostile toward any movement of the white man across their hunting-grounds. They continually attacked small isolated groups of Western travellers, and slew the men and took the women and girls away into captivity that was a thousand times worse than death. In 1876 the Federal Government at Washington determined to round up the roving hordes of red men who persisted in leaving their reservations and preying upon white travellers. The chief leader of these 'hostiles' was Sitting Bull. In the campaign that followed the Sioux were thoroughly subdued, although they wiped out two hundred men under the command of Major-General George A. Custer. The Sioux remained peaceful until 1890, when it was necessary



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to dispatch troops against them again. Many believed that the gradual and unnecessary slaughter of thousands and thousands of the wild buffalo, with the consequent shrinkage of the food-supply, played an equal part with the army in conquering the nomadic aborigines. In the South-west the Federal Government had considerable trouble with the Apaches. It was not until 1868 that the United States army was able finally to end the sporadic outbreaks of this tribe.

In 1887 Congress passed the Dawes Act, which abolished many of the Indian reservations. Much of this land was opened up to white settlers. Largely as a result of this the Indian Territory was admitted to the Union as the state of Oklahoma in 1907. The growth of this territory was remarkable. The population at the time of the passage of the Dawes Act was about 60,000, but by 1910 it had increased to 1,657,155. The abolition of the reservations and the giving of land to the Indians in severalty rapidly broke up tribal relations. Of the 265,683 Indians in the United States in 1910, only 71,872 of them were classified as Indians not taxed as citizens. The national and state Governments are spending vast sums of money on elementary, secondary, and higher education, and illiteracy among them is rapidly dying out. Many of them are successful farmers and oil magnates, although this progressiveness is offset to some extent by the shiftless and degraded members of the race.

The warlike Indians were less of a drawback to the settlement of the West than was the serious lack of transportation. An overland trip from the Mississippi to the Pacific coast was a hazardous adventure, lasting several months. The other routes, such as those by way of the Isthmus of Panama or the Straits of Magellan, were equally long and often as difficult. The overland route offered a variety of modes of travel—horseback, stage-coaches, steamers, canoes, or 'prairie schooners.' Freight was carried on the backs of pack-animals and commanded exorbitant and almost prohibitive rates.

In the early stages of railway development the question arose of building a transcontinental system. After an abortive attempt in 1853-54, Congress finally authorized a

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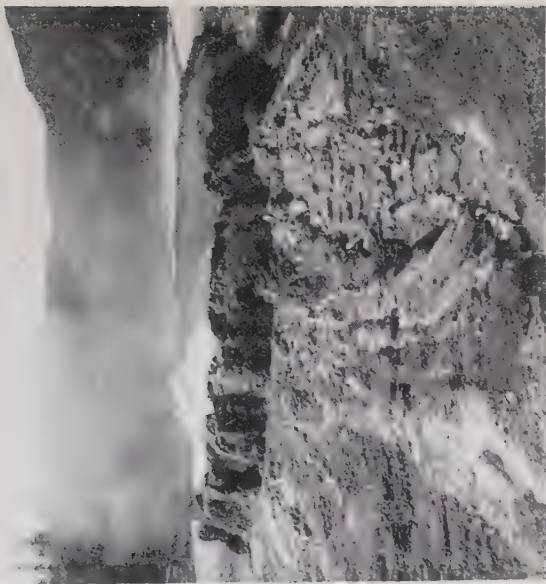
Pacific railway in 1862. Work was begun shortly afterward, and was largely carried on by thousands of Chinese coolies brought into the country for that purpose. On May 10, 1869, the tracks pushed out from California and Nebraska met at a point near Ogden, Utah, and the narrow bands of steel joined the East and the West. By 1884 three other railroads to the West had been completed, and the American 'frontier' had completely disappeared.

The conquest and the settlement of the 'empire' passed through several distinct stages, the nature of which was largely determined by the character of the employment in which the 'conquerors' were engaged. The first stage was the trapper and trader; he was followed by the prospector and miner; then came the cattlemen with their picturesque cowboys, and the sheep-herder; finally came the farmer, either on a small or large scale. The United States Government catered for this last class particularly, and passed the famous Homestead Act of 1862, which granted to any citizen or declarant 160 acres of land. The only conditions were that the homesteader must reside on the land for five years and pay certain entry fees of a nominal character.

As was only to be expected, the new territory grew by leaps and bounds. California, once the hunting-grounds of the gold-miners, became the home of immense wheat-fields, orange-, lemon-, fig-, and walnut-orchards, and a source of seemingly inexhaustible forests, from which lumber could be cut at will. The development of the grape industry, with its sister product, wine, opened up a field of endeavour almost as lucrative as the gold-mines. The city of San Francisco, with its beautiful harbour, rapidly developed, particularly after the completion of the railways, into the main gateway to and from the Orient. The mining fever of the 'forty-niners' played a large part in the development of Nevada. Rich 'strikes' were made in silver and gold, and millions of dollars' worth of these precious minerals were taken from the mountains and streams in a comparatively short time. The prospectors met with similar success in Colorado, Idaho, Wyoming, and Montana. Each new discovery was followed



1. THE YOSEMITE FALLS



2. THE PUNCH BOWL
A great boiling spring in Yellowstone Park

SCENERY IN THE AMERICAN NATIONAL PARKS

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by a rush of adventurers, many from the old fields, but thousands of new ones from all quarters of the earth. The Dakotas furnished a different sort of wealth, *i.e.*, wheat-fields. The invention of several mechanical aids to the farmer permitted agriculture on a large scale and enabled the *entrepreneurs* to manage vast farms, despite the scarcity of labour.

The disappearance of the frontier was rapid and complete. The Wild West was no more.¹ Congress, recognizing the vast natural beauties of parts of the region, has created many national parks, such as the Yellowstone, Yosemite, and Grand Canyon, which will ever remain as mementoes of a vanished civilization.

ECONOMIC PROGRESS

The development of the vast empire between the Mississippi and the Rockies was accompanied by an expansion of industry just as great as if not greater than that of territory. As a recognition of this great national growth an exposition was held in Philadelphia in 1876 to commemorate the hundredth anniversary of the birth of the nation. The exposition lasted from May to November. Many states and foreign countries erected their own buildings to house their exhibits, and several of these went so far as to construct them of materials brought from their native land expressly for the purpose. The results of the centennial exposition were profound and far-reaching. More than three million people visited it, and the Americans learned many practical lessons that were later to be incorporated into their domestic life. A love of art was instilled into many of them by the exhibition of many 'old masters,' mostly loaned from the

¹ Whittier, *à propos* of the bewildering changes that took place in the Wild West, wrote :

“ Behind the scared squaw's birch canoe,
The steamer smokes and raves ;
And city lots are staked for sale
Above old Indian graves.
I hear the tread of pioneers
Of nations yet to be ;
The first low wash of waves where soon
Shall roll a human sea.”

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art galleries of Europe for the occasion. The advanced methods of foreign education, both elementary and higher, were soon introduced into the school-houses and institutions of higher learning in the United States. The exposition marked the beginning of the engineering and agricultural colleges which were to give the scientific man equal opportunities with the graduate of the academic institutions. Besides the visible advantages gained as the result of the exchange of ideas and methods, the Americans learned many things about the foreigners that were unknown before, and *vice versa*. Foreign trade and travel were greatly stimulated by the mutual interest aroused and the opportunities presented. Statistics of the foreign trade of the United States show that from 1876 onward the United States became one of the main providers of foodstuffs to Europe. The exportations of foodstuffs amounted to such huge sums after 1876 that the United States had a favourable balance of trade in every year but three.

Population increased and moved westward in ever lengthening strides as the economic possibilities grew with development. Between 1860 and 1870 the population increased 26·6 per cent., between 1870 and 1880 26·70 per cent., and between 1880 and 1890 24·90 per cent. The frontier was gradually vanishing, and the centre of population continually moving westward, as the agricultural and mineral resources of the Mississippi plains and Rocky Mountain region were exploited. As an example of the rapidity with which this region was settled it may be stated that the population of Colorado increased more than 400 per cent. in the decade 1870-80. While thousands of people were thus spreading out over the West, the population in the East had a tendency to concentrate in large industrial centres. In 1870 one-fifth of the population lived in cities with a population of more than 8000. Ten years later this proportion increased to one-fourth. Many of the foreigners who came to the shores of America were attracted to the huge centres of industry, while many more 'went West,' where land was fertile and cheap, and where one's prospects of making a fortune overnight in the mining districts were very alluring.

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The South alone of all the sections of the country increased in population very slowly. This was especially true of increase by immigration. The foreigners were not enticed to any great extent to the South, where they would have to face the problem of competition with negro labour. Many of the negroes themselves were tempted to try their fortunes in the virgin West, but little success attended their sporadic attempts at migration.

The gradual growth of population in the cities brought about municipal problems, such as sanitary conditions, transportation, housing, and lighting. The inventive genius of the American public was called into play to help to solve these problems. The inefficient horse-car was superseded by cable-cars, elevated steam-roads, and 'trolley-cars' run by electricity. The use of electricity was rapidly extended to street and house lighting, particularly after the invention of the arc light for street purposes by C. F. Brush and of the incandescent bulb by Thomas A. Edison. The telephone, bicycle, phonograph, improvements in photography, followed each other in rapid and bewildering succession. Engineering feats, carried out on a scale hitherto thought visionary, were begun and brought to a successful conclusion.

This age of discovery and invention of necessities presaged a tremendous industrial boom and the dawn of a new era. One of the most necessary adjuncts to such a boom was adequate transportation facilities. In 1880 there were almost 88,000 miles of railroads in the United States, as compared with 52,000 in 1870, 30,000 in 1860, and 9000 in 1850. Many of the new miles of track that were laid were short lines connecting with main- or trunk-line systems, or else running into virgin territory. Many short lines were consolidated during this period into big systems, such as the New York Central and the Pennsylvania. The great increase in railway competition practically compelled the abandonment of the intricate system of canals that had been developed in the United States since 1820. Despite the gradual decline in this method of transportation, Congress continued to appropriate ever-increasing funds for the improvement of

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inland waterways and harbours. While Americans were spending vast amounts of money and energy in developing their domestic transportation systems, they were gradually being outdistanced by the British in ocean shipping. Their carrying trade fell away to a mere shadow of what it had been before the war, largely because the iron and steel vessel was rapidly replacing the wooden ship. The British proved that they could construct the newer type of vessel better and more cheaply than their brethren across the ocean.

The tremendous increase in population and great expansion in industry, with their manifold problems and adjustments, such as transportation and the relations between capital and labour, are the basis of the political, social, and economic movements and reforms that dominated American life from the close of the reconstruction period to the opening of the Spanish-American War. They will be dealt with in the following chapter.

FINANCIAL REORGANIZATION AFTER THE WAR

“The end of the Civil War saw confusion in national finances. The debt was nearly \$3,000,000,000, the interest on it was six per cent., taxes were high, and the currency was inflated by large issues of legal tender notes. The situation was abnormal, and was endured in war times because it was thought that *ante bellum* conditions would be restored with the advent of peace. The experience of a few months showed how difficult this was. No one objected to paying the debt or to refunding it at lower interest, but since a large part of the taxes were high import duties, the protected interests were against their reduction, and since many people had adjusted their business to the high prices which resulted from inflation, a large class, particularly the debtors, resisted the policy of contraction, although it was evident that the difference in value between gold and the legal tender notes was an embarrassment to the large commercial and financial dealers. Thus the tariff and the currency became important political problems for the *post bellum* statesmen.”¹

¹ Bassett, *A Short History of the United States*, p. 660.

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Hugh McCulloch, Secretary of the Treasury, made heroic efforts to restore the finances and credit of the nation to a safe and sound basis. He was a banker of wide experience, and, fortunately for the future of the country, believed in a restoration of specie payment and earnestly opposed those who demanded that the currency of the country be inflated by the unlimited issue of 'greenbacks.' McCulloch gave his first attention to the public debt, and he succeeded in re-funding the entire amount on terms very favourable to the Government. In about three years after the close of the war he was able to pay back more than half a billion dollars to the debt-holders, and in this way he did much to stabilize the financial operations of the entire country and to stop effectively the cries of the 'calamity howlers' that the debt would never be paid. This reduction in the public debt was all the more remarkable because it was accompanied by a sharp decline in the high internal taxes. Attempts to reduce the highly protective tariff, however, met with defeat in Congress.

The question of the currency was one in which McCulloch was particularly interested. At the close of the war there existed the vast sum of almost \$450,000,000 in 'greenbacks' in circulation. They represented a cheap money, and \$100 in gold could purchase \$145 in 'greenbacks.' The practical economic result was that gold was gradually being withdrawn from circulation, as is the inevitable result when a cheap and a dear money circulate together. McCulloch desired to resume specie payment in order to secure a parity between the paper and the coin. Following out his scheme, he persuaded Congress in 1866 to authorize the retirement of \$10,000,000 in legal tender within six months and \$4,000,000 monthly thereafter. This law highly pleased the 'sound money' men and the creditor class of the East, but was particularly objectionable to the farmer and debtor class of the West. A slight panic in 1867 was ascribed to this contraction by the great mass of Westerners, and they were so powerful in Congress that the redemption measure was repealed in 1868.

During Grant's first administration his Secretary of the Treasury, Boutwell, succeeded in reducing the debt by nearly

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\$400,000,000. He was also able to induce Congress to reduce the war taxes and the tariff to some extent. Although he favoured the resumption of specie payment, he knew that the Westerners would be able to resist it successfully, so he abandoned the idea for the time being. This period was marked by the legal tender decisions of 1870-71. In the former year the Supreme Court, by a vote of 5 to 3, held that the Legal Tender Act was unconstitutional because it impaired the obligations of contracts made before it was passed and was confiscatory to the extent of the difference between the value of the dollar in which a debt was contracted and that of the dollar in which it was paid.¹ Many people considered that it was a partisan decision arrived at largely for the benefit of the sound money Republicans. In 1871, by a vote of 5 to 4, the Supreme Court reversed its former judgment and declared the Legal Tender Act constitutional. Two new appointments to the Court, made by President Grant, voted with the minority of 1870, and thus were able to overrule Chief Justice Chase and his supporters. The sound money men loudly complained that Grant had 'packed' the Court in order to gain the support of the inflationists.

The financial recovery of the nation was so rapid that speculation of all sorts—land, stocks, promotions, and bonds—was rife. This speculation came to a head in 1873, when a worldwide panic occurred. The chief cause was the failure of reputable firms to dispose of the bonds necessary to finance the huge expansionist projects under way. Stocks and bonds fell to a ruinous figure, and the bottom dropped out of the money market. This produced a run on the banks, many of which failed as a result. The panic conditions rapidly spread from the stock market to all branches of industry. Production was cut down, and thousands of labourers were thrown out of employment. The return of peace to Europe after the close of the Franco-Prussian War caused a great increase in her own production and a sharp decline in the demand for American products, which had been selling at an exceptionally high price. This fell particularly hard on

¹ Bassett, *A Short History of the United States*, p. 663.

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the Western farmer. In debt for practically everything he owned, his misery was greatly increased by the drop in the price of wheat from the 'peak' price of \$2.85 per bushel in 1867 to less than \$1 in 1868. As far as he could see, the only way out of his difficulty was through the central Government, from which he demanded a cheap currency which would artificially raise the price of his product. Although other prices would also rise, he hoped that he would benefit to a great extent, because he supplied most of his other needs himself.

The panic of 1873 and the ensuing hard times convinced many thoughtful-minded people that the real cause of the depression was the tremendous amount of paper money in circulation. When these men attempted to induce Congress to embody contractionist ideas in Acts, they were met with bitter resistance from the West. The Westerners thought that the panacea for the ills of the country was a still greater issue of legal tender notes. In accordance with their ideas Congress passed a Bill to issue an additional \$18,000,000 in 'greenbacks.' Grant manfully vetoed the Bill, much to the disgust of the Westerners and many leaders of his own party. This act of the President presented the entire party with a new issue. Should it espouse or repudiate the inflationists? The party determined upon the latter course, although it realized that it would lose the support of the West by so doing. The result was the passage of the Resumption of Specie Payment Act in January 1875. This law provided that the 'greenbacks' were to be gradually withdrawn as National Bank notes were issued to take their place. After January 1, 1879, those still outstanding (\$300,000,000) were to be redeemed in gold on demand. The practical result of this law was that only about \$135,000 of 'greenbacks' were presented for redemption. This showed conclusively that the faith of the people in the Government's ability to pay back its debts was fully restored, and that a sound financial policy was probably acceptable to a majority of people in the United States.

CHAPTER IV

POLITICAL AND ECONOMIC REFORMS : 1865-96

THE question of civil service reform had become a national issue at the close of the Civil War. As the country developed by leaps and bounds, it was only natural that the number of public servants needed to carry on the government should increase proportionately. From the time of Jackson down to the Civil War every one apparently acquiesced in the theory that "to the victor belong the spoils." After the war, when growth in population, industry, commerce, etc., was bewilderingly rapid, the ever-increasing number of Governmental positions became the means of building up huge political machines, as well as a source of income for the financial needs of the parties. The numerous offices in the various branches of the Government became mere rewards for politicians who had helped to put the Republican party in power. These same Republican office-holders were then compelled to contribute to the party's treasury, or suffer removal. The continued and increasing abuse of the civil service led many high-minded men to advocate and favour methods of reforming it. Discussion of civil service reform began as early as 1865, when the evils of the system were pointed out in the Senate, at the time when President Johnson was using his power of patronage to curb the radical Republicans in Congress.

One of the earliest advocates of civil service reform was Thomas Jenckes, a member of the House of Representatives from Rhode Island. He made a thorough study of the systems in use in England, France, Prussia, and China, and introduced a Bill into Congress in 1868 seeking to abolish

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the worst features of the spoils system. Congress refused to take action, and Jenckes appealed to the people, from whom he was able to get influential support, particularly from such able men as George W. Curtis and Carl Schurz. These leaders realized that the only way to get any Congressional action was by educating public opinion up to the point where it would demand reform from any party that asked for its suffrage.

Grant, the Republican candidate in 1868, had declared that he was favourable to the movement and would do all in his power to further it. In 1871 the reformers were able to force a Bill through both Houses which provided for a civil service commission appointed by the President. The President was also to draw up a set of rules by which applicants were to obtain positions. Curtis was made the chairman of the commission, and for a time it did admirable work. Curtis and Grant had a disagreement over some political appointments the President made, and the former resigned his position. Congress refused to renew the appropriation necessary for the continuance of the commission in 1873, and the reform work fell into decay. When President Hayes came into office he was desirous of continuing the reform movement, but he was unable to get the necessary financial support from Congress. Despite this setback, he courageously attempted to extend the merit system wherever possible, such as in the New York custom-house. These attacks on the spoils system made him thoroughly unpopular with the stalwart members of the party, who were led by Conkling. The reform movement rapidly spread throughout the country, however. Local, state, and national organizations were formed, and these flooded the nation with propaganda of all descriptions, demanding the abolition of the spoils system and the adoption of the merit system.

One spectacular event that greatly aided in the consummation of the reformers' ideas was the assassination of President Garfield. He had promised before his election to advance the movement as far as he was able. His untimely death at the hands of a disappointed spoilsman brought into office Chester A. Arthur, whose whole political career had been

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associated with the spoils element of his party. The hopes of the reformers were momentarily shattered, but were revived when he announced in his first annual message that he would execute to the best of his ability any law on the subject of civil service reform which Congress would pass. This aroused public opinion in favour of civil service reform, and the assassination of Garfield led directly to the passage of the Pendleton Act of 1883. "It created a classified service, to be organized by the President and to apply to clerks in the departments and in post offices and custom houses having over fifty employees. Examinations in keeping with the requirement should be given, and they were to determine appointments, and applicants should bring no other recommendation than as to residence and moral character. They were to be taken as nearly as possible from the states in proportion to population. The President might by his order include within the classified service employees not originally included, and strict measures were taken to abolish campaign contributions by employees. The President was to appoint a commission of three members to supervise the examinations, keep records, recommend clerks on the approved lists, investigate alleged violations of the law, and report annually to the President and Congress."¹

The provisions of the Act were carried out by the succeeding Presidents with almost uniform success. Arthur "faithfully executed" it, as did Cleveland. Cleveland came into office at the head of a party which had been out of power since 1860, with the result that there were thousands of hungry office-seekers who demanded positions under the national Government. Despite the pressure exerted upon him, he respected the law, and widened its scope by adding the railway-mail clerks to its provisions. When the Republicans returned to power under Harrison in 1889 this class was removed from the civil service lists and thrown open to the spoilsmen again. Nevertheless, Harrison enforced the rules of the classified lists, and he himself added to them. He appointed Theodore Roosevelt, an idealistic young reformer, to the

¹ Bassett, *A Short History of the United States*, p. 709.



JAMES A. GARFIELD
President of the United States 1881



GROVER CLEVELAND 460
President of the United States 1885-89 and 1893-97

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commission, and his energetic methods rapidly dispelled the doubts and fears concerning the commission and its work, and placed the reform movement on such a high plane that the voracious spoilsmen in Congress did not dare to disturb it. When Cleveland was re-elected in 1892 he was still a strong supporter of the new movement and added thousands of positions to the rapidly growing list of offices that were open to merit only.

Closely connected with the civil service reform movement was the movement to reform the ballot and the entire method of voting. The system of voting used from the earliest times in American history provided for an unofficial ballot, usually supplied by the party. This method led to great abuses. Manufacturers, for example, who were in favour of the protective tariff would get enough Republican ballots for their workmen, mark them as they (the manufacturers) desired, and give them to their employees, and would then employ agents whose duty it was to see that the marked ballots were placed in the ballot boxes. Failure to vote as his employer demanded cost many a man his position. This system of voting was also accompanied by a great amount of bribery, which was openly connived at by men of otherwise high moral standing. It was practised uniformly by both parties, and was almost everywhere in evidence in the election of 1888. Shortly after this election the demand for ballot reform became so great that the state legislatures were unable to withstand it any longer. The agitation resulted in the adoption, by most of the states, of the Australian ballot, the chief feature of which is a secret ballot on which the names of all parties and candidates appear. "The Australian ballot enabled the honest citizen to vote in security and safety, but it failed to touch the fact that the nominations were still outside the law. 'To find the honest men,' Bryce wrote, 'and having found them, to put them in office and keep them there, is the great problem of American politics.' So long as a boss could direct the nomination he could tolerate an honest election." ¹

¹ Paxson, *The New Nation*, p. 248.

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TARIFF REFORM

Hand in hand with the demand for political reform went the demand for tariff reform, although all political reformers were not tariff reformers and all tariff reformers were not political reformers. Many who advocated tariff reform did so for economic reasons, others because of party affiliation, and still others because they were free-traders. At the close of the war the people of the nation were burdened with extremely high taxes—excise, customs, and income. The increasing demand for relief from the heavy burdens was met by the abolition of the income tax (1871) and the repeal of internal revenue taxes on everything but tobacco and liquors. Despite these measures, the people were not satisfied, and demanded a reduction in the tariff. To appease the malcontents the duties were taken off such things as tea, coffee, and sugar, but were allowed to remain on all other articles. In 1867 and 1870 ineffectual attempts were made to lower the exorbitantly high duties. In 1872 a Bill was passed, despite the efforts of a strong protectionist group, which provided a uniform reduction of 10 per cent. in most of the important schedules. Congress took this action largely because the reformers pointed to the surplus of \$100,000,000 in the Treasury as an indication that they were suffering from over-taxation. This reduction was short-lived. The panic of 1873 consumed the surplus, and the protectionists demanded higher rates to revive industry, and consequently the 10 per cent. measure was repealed (1875).

When the country returned to normal conditions after the period of hard times, 1875-79, a huge surplus again appeared in the Treasury. In 1880 it was \$65,000,000, \$100,000,000 in 1881, and \$145,000,000 in 1882. In the last-mentioned year the question of tariff reform was again a leading issue, despite the efforts of the protectionists to spend the surplus on pensions and river and harbour improvements. Generally speaking, the Democrats favoured reduction and the Republicans opposed it. The overthrow of the Republican majority in Congress in 1882 convinced the Republicans in general, and

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the protectionists in particular, that they must do something in a hurry if they were to save the election of 1884. This resulted in the appointment by the Republican Congress, which had not yet retired from office, of a commission which was to make a thorough study of the situation and *recommend* changes. The commission was to suggest "a revision of the existing tariff upon a scale of justice to all interests." The commission was composed of a majority of protectionists, which practically assured the continuance of the existing high tariff. Nevertheless, after a three months' tour of the country, it recommended to Congress that a 20 per cent. cut would be advisable. Both houses of Congress finally passed a Bill, the terms of which were decided upon by a conference committee, and which were higher than those proposed by either the House or the Senate. Some reduction was made on most articles, but increases were made on certain classes of cotton and woollen goods and on manufactured steel. In some cases increases were made to appear as decreases by a change in classification. The Bill, while undoubtedly revised by the friends of protection, was unsatisfactory to many of the two dominant parties. When the Democrats came into power in 1885 they made attempts to add certain articles to the free list and to reduce the other duties 20 per cent. A combination of Democrats and Republicans was able to defeat the Bill, however. Attempts to reduce the tariff during the first term of President Cleveland met with no success, although the President urged them on every available occasion.

The Republicans considered their return to power in 1888 (see below) an endorsement of the protectionist theory. Acting on this assumption, they passed the McKinley Bill (1890), which placed raw sugar on the free list, left iron and steel about the same as in the Act of 1883, raised the duties on woollens, cottons, and shoes to an almost prohibitive rate, and provided for a system of reciprocity. The result of this Bill was a decline in customs revenue, and ultimately a deficit in the Treasury. The people at large were thoroughly disgusted with the measure, and showed their dislike in concrete form by re-electing Cleveland in 1892. Despite Cleveland's

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demand for tariff reform, however, Congress passed the Wilson-Gorman Bill, which merely repealed the changes made by the McKinley measure and left the duties about the same as they were under the act of 1883. Cleveland was so utterly disappointed and disgusted by what he considered a stain on his party's honour that he refused to sign the measure and permitted it to become a law without his signature. The revenues that were expected to accrue from the new tariff Act failed to materialize, and this fact, coupled with the financial and industrial depression of the years 1893 and 1894, strengthened the position of the protectionists. The recovery of the Republicans in the election of 1896 led directly to the Dingley Tariff Act of 1897, which restored the duty on raw sugar, but re-enacted the provisions of the McKinley Bill. This Act provided sufficient revenue for the needs of the Government, and remained practically untouched for a period of twelve years.

The failure of the attacks on the protectionist system shows how firmly it was established as a part of the economic programme of the country. Both capital and the labour employed by capital felt that their economic future depended to a large extent on a protective tariff. The South from the very beginning had been unalterably opposed to the protectionist theory, and the opposition came largely from that section and the agricultural West.

ELECTIONS OF 1884, 1888, 1892. CLEVELAND DEMOCRACY

In the midst of the demand for civil service, ballot, and tariff reform came the election of 1884. It was one of the most vigorous campaigns that the country has ever witnessed. Party lines were continually broken, and numerous minor candidates were in the field. The most important of these were the anti-monopolists, 'greenbackers,' and prohibitionists. As the time for the holding of the conventions drew near it was clearly seen that the two most prominent Republican candidates were Arthur and Blaine, and that the Democrats would probably rely upon Governor Grover Cleveland of New York. The Republican convention assembled at

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Chicago on June 3, 1884. As was expected, the two names most prominently before it were Arthur and Blaine. Arthur was favoured by many of the reform element of his party, largely because of the courageous manner in which he had enforced the Civil Service Reform Bill, but also because of the high moral tone of his administration in general. Blaine had a magnetic personality and was an astute leader, and although a 'half-breed' managed to gain considerable 'stalwart' support. The independent Republicans were loath to put forward either Arthur or Blaine, because they felt that the former had been 'good' through necessity, and that the latter was scarcely to be trusted. They supported Senator Edmunds of Vermont as their candidate. The outcome was not long in doubt, for on the fourth ballot Blaine was nominated. His selection was generally satisfactory to the 'stalwarts' and the 'half-breeds,' but was bitterly opposed by the independents, who openly threatened to support at the polls any strong, honest man that the Democrats would nominate. John A. Logan of Illinois was chosen as Blaine's 'running mate.'

In the Democratic convention Grover Cleveland was nominated on the second ballot after an ineffectual attempt to 'stampede' the delegates for Hendricks of Indiana. Cleveland was a strong candidate, though little known in national politics. He had first come into prominence in 1881, when he was elected mayor of Buffalo, New York. He was then elected governor of the state of New York by the huge majority of 192,000. His public record had been one of straightforward honesty and impartiality. He was thoroughly popular with the young men throughout the country, and was expected to poll a heavy vote among the 'Mugwumps,' as the independent reform element among the Republicans was called. The candidate selected for the Vice-Presidency was Thomas A. Hendricks, of Indiana, who had been the candidate for the same office during the 'fraud election' of 1876.

The campaign was devoid of any real issues, and finally resolved itself into a discussion of the personal merits of the two candidates. As was only natural in a campaign of this kind, vituperation played a prominent part. Blaine was

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accused of personal participation and gain in some of the frauds that were committed during Grant's administrations. A particularly vulnerable opening was in connexion with the so-called Mulligan letters, which had practically killed Blaine's chances for the Republican nomination in 1876 and 1880. The Democrats and independent Republicans reopened the entire subject and obtained more of Blaine's letters, which proved his guilt to many of the voters, despite Blaine's oratorical efforts to minimize their importance. The Mulligan letters were written by Blaine to certain railroad stock manipulators concerning deals which, to say the least, were not strictly honest. When the letters were about to be placed before a Congressional investigating committee Blaine borrowed them and refused to give them up, although he later read them before the House. During his speech he was able to hide the significance of the disclosures, but when they were printed they proved a source of attack. In order to meet this attack on their candidate the Republicans delved into the private life of Cleveland and discovered evidence of immoral relations with a woman. In a greatly exaggerated form it was spread broadcast over the country, and was kept alive by continual innuendoes on the part of the Republican campaign speakers. An investigation showed that the Republicans had overstated the facts and that, while Cleveland had had a *liaison* with a woman, he had recognized his responsibility and had thoroughly made amends.

The Mulligan letters and Cleveland's private life supplied the chief material for the campaign speeches, although at times Blaine attempted to bring the tariff issue to the fore. Blaine's past record was bitterly attacked by the reform element of the Republican party, led by such men as Curtis, Lodge, A. D. White, and Roosevelt. Some of the reformers, notably Roosevelt and Lodge, determined to remain within the party and attempt to reform it, but others, led by Curtis, Beecher, and Schurz, organized a movement actually to support Cleveland. This latter group received the support of many of the foremost Republican newspapers and magazines, and greatly detracted from Blaine's strength. Another

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event that probably injured Blaine to a large extent was the unfortunate remark made in his presence by the Rev. S. D. Burchard, to the effect that the Democratic party was a party of "rum, Romanism, and rebellion." This unwise statement is calculated to have cost Blaine many votes among the Catholics, with which sect he was very popular. Blaine stated afterward that he had not heard the remark or he would instantly have repudiated it.

The campaign was also marked by a great amount of popular demonstration. Blaine and Cleveland clubs sprang up all over the country, and mass-meetings, bonfires, and parades were nightly occurrences. The managers of each candidate made special efforts to win New York, for it was realized very early in the campaign that the result of the election hung on that state. When the final count was made it gave Cleveland New York by 1149 votes. This carried the election for him. Besides New York, he carried the 'solid South,' Delaware, Indiana, Connecticut, and New Jersey. He had 219 electoral votes, as against 182 for Blaine. A significant fact was that he had a plurality of merely 23,000. Many reasons have been advanced for Blaine's defeat. One of the best summaries explaining his defeat is that of H. C. Thomas in his *Return of the Democratic Party to Power in 1884*. "The question of just why voters vote as they do involves a complex study in political psychology and is one that probably a majority of voters could not answer for themselves. The Independent movement, the strength of the Prohibitionists, the lukewarmness of the Stalwarts, the unfortunate remark of the Rev. Mr Burchard, have all been given as reasons for Cleveland's election. Blaine himself declared that the suppression of the Republican vote in the South made it necessary for the Republicans to carry New York, and that New York was lost through the strength of the Independents and Prohibitionists and through the remark of Burchard. When we consider that if Cleveland had lost New York, or that if he had lost Indiana and either Connecticut or New Jersey, Blaine would have been elected, and that Cleveland's plurality in New York was only 1149 out of a total vote of more than

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1,150,000, in Indiana 6527, in Connecticut 1276, and in New Jersey 4358, it is evident that any one of the above-mentioned incidents may have been decisive. All of them worked toward the same end, though with varying degrees of effectiveness." Dr Thomas believes, as do many other eminent historians, that the independent movement was the greatest of all the factors contributing to Blaine's defeat. The *Nation* said: "The real force which defeated Blaine was Blaine himself. He had created during his twenty years of public life a public distrust too deep to be overcome by even the most formidable combination of political wiles, money, and treachery ever organized in this country."

As the election of 1888 approached there was considerable doubt as to whether Cleveland would be renominated. His rather cold and unemotional nature, coupled with his sincere efforts toward civil service reform, alienated many of his followers. His stand on the tariff question, however, gave his party a real issue, and practically compelled his selection on the first ballot of the Democratic convention, which met at St Louis on June 5, 1888. Thurman of Ohio was selected for the Vice-Presidency.

The Republican convention, which met in Chicago on June 19, 1888, nominated Benjamin Harrison of Indiana and Levi P. Morton of New York. Several attempts to induce Blaine to announce himself as a candidate were unsuccessful. The Republican platform was in direct opposition to Cleveland's tariff for revenue, and demanded the continuance of the American system of protection, as well as national support on a large scale for the navy and pensions.

The campaign, while comparatively quiet, was marked by the liberal use of money to influence the voters. Huge campaign funds were raised by both sides, by the Democrats partly from the office-holders, and by the Republicans from the manufacturers. As in the election of 1884, the result hinged on New York state. Harrison carried the state by 13,000 votes, and consequently was elected. Harrison received 233 electoral votes, and Cleveland 168. In the popular vote Cleveland had 100,000 more than Harrison.

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The election of 1892 found Harrison unpopular with the better elements of his party as well as with the 'machine' leaders, Quay of Pennsylvania and Platt of New York. Quay and Platt determined to overlook Harrison and force the aged Blaine to take the nomination. The party as a whole was unwilling to do this, because Harrison was prominently connected with the party's activities during his administration, and if he were not renominated the inference could be readily made that the acts of the party were repudiated. Consequently, against the wishes of Quay and Platt, Harrison was renominated on the first ballot. Whitelaw Reid, editor of the *New York Tribune*, was selected as his 'running mate.'

The situation in the Democratic party was strikingly similar to that in the Republican. Cleveland was the logical candidate, but he was opposed by many 'machine' men in the East and the 'cheap money' men in the West. Despite all efforts to prevent his nomination, however, he was chosen on the first ballot, and in November he defeated Harrison by a popular vote of 400,000 and an electoral vote of 277 to 145. The activities of the Populist party in this election will be taken up later, as will the chief events of Cleveland's and Harrison's administrations.

TRANSPORTATION PROBLEMS

One of the most important movements in the period under discussion was the rapid growth and development of the railroad throughout the country. The statistics on railroad construction are astonishing. The first railroad, the Baltimore and Ohio, was built about 1830. Between that date and 1850 9000 miles of track were laid, by 1860 the total mileage had reached 30,000, by 1870 52,000, by 1880 88,000, and by 1890 160,000. In its earlier stages railroad-building was almost entirely confined to the East and North-east, where the demand for railroads was great and the supply of capital sufficient to cover the enormous outlay for construction, etc. In the rapid development after the war this area largely confined itself to the construction of feeders to the main lines, while the South and West took the lead in new enterprises.

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Various factors entered into making railroad-building on such a huge scale possible. In the first place, the national, state, and local Governments gave away millions of acres of lands to companies to further their plans. Many companies were organized just to get the benefits of these land grants, and used pressure of all kinds, legal and illegal, moral and immoral, to advance their schemes. Even after the lands had been granted for legitimate purposes, the unscrupulous operators in many cases sought ways and means to increase their own private fortunes at the expense of the public and the Government. Improvements and inventions that followed one another in rapid succession also aided in a large measure the tremendous growth of the railway. The earliest tracks had been made of wood, with straps of iron fastened to them. This apparent weakness was gradually done away with by the manufacture of iron rails and, later, heavy steel rails. The improvement in rails, roadbeds, and equipment was accompanied by an appreciable increase in speed and comfort. The standard gauge was introduced, as was the standard time system. Both of these improvements added greatly to the comfort and ease of the travelling public.

As was only natural, many short lines were built, with the inevitable result that a passenger travelling for any considerable distance was compelled to reship his luggage and purchase a new ticket every hundred miles or so. This had a tendency to make rates high and to put an almost prohibitive tariff on freight in bulk. The classic example of the short-line system was the fact that the trip from Albany to Buffalo, a distance of approximately 300 miles, necessitated the use of five distinct railroads. These roads were consolidated into the New York Central system before the Civil War, and in 1869 this system absorbed the Hudson River Railroad, and gained control over the Chicago and Northwestern, the Rock Island, the Lake Shore, and the Michigan Southern. This gave the complete control of a single system from New York to Omaha to a small group of railroad financiers. The action of the New York Central was rapidly followed by

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the establishment of other trunk lines, notably the Pennsylvania and the Boston and Maine.

The benefits derived from this phenomenal increase in transportation facilities cannot be over-emphasized. Freight rates were materially reduced, thousands of labourers were given employment, westward migration was stimulated, and a steady market furnished for the huge crops of the West. The manufacturing East was supplied with raw materials to keep the furnaces going, and the agricultural South and West received their necessary manufactured articles by the twin bands of steel. The railroad made possible the growth of huge cities by guaranteeing the enormous supplies of foodstuffs necessary for their existence.

Although the benefits accruing from the increase in transportation construction were undeniably great, they were nevertheless accompanied by certain abuses in financing, construction, and management that gradually turned public opinion against them to such an extent that first the state Governments and then the national Government were compelled to heed the popular outcry and make some attempts to regulate the rapidly growing corporations. One of the earliest complaints was that many lines were built merely for speculation, and that many of these were constructed in territories where there was no competition, with the result that exorbitant rates were charged without any chance of redress on the part of the consignor or consumer. Again, lines were built in territory where other roads already existed for the express purpose of compelling the existing road or roads to purchase the new enterprise. Another evil that was rampant in these days of rapid development was the formation of construction companies by the directors of a railroad in order to build their own line. In this way the directors paid themselves huge sums for the construction of the road out of the stockholders' money. The best example of this evil is the operation of the *Crédit Mobilier* mentioned above.

The corrupt and unscrupulous manipulation of stock was another complaint which the general public had against the railroads. A flagrant example of this was the case of

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Jay Gould, who was accused of selling \$40,000,000 worth of Erie stock and keeping the money himself. Another was that of Daniel Drew, the treasurer of the same road. In return for money loaned to the company he secretly received 28,000 shares of unissued stock and \$3,000,000 in bonds convertible into stock (1866). He made large contracts to furnish Erie stock at the prevailing market prices (about par). The unsuspecting public thought that nothing could save him, but at the critical moment he dumped 58,000 shares of stock on the market and forced the price from 95 down to 50. He bought in again at the latter figure and then compelled his customers to purchase at the figure their contracts called for. This stroke was admired by many great financiers, but as its effects spread it produced a disquieting effect upon the general public.¹ Another form of stock manipulation which came into common practice was that of 'watering' the stock. Briefly stated, this consists of expanding the face value of the capitalization of a corporation without adding anything to its real value. On the additions made to the capital stock the company paid dividends, of course. Sometimes, if the profits were too great to reveal, the directors of a road would announce a stock dividend, *i.e.*, instead of paying cash dividends they would issue additional shares of stock. For example, if a man held one share of stock worth \$100 and the interest on it were \$10, the company, to avoid the complaint that its profits were too high, would issue him another share of stock and pay him five dollars on each. Stocks and bonds were also given away as a bonus to induce prospective purchasers to buy other stock. It is needless to say that the dividends paid on this 'watered' stock were mulcted from the public in the form of higher passenger fares and freight rates. An investigation of the New York Central system in 1885 brought out the testimony that \$48,000,000 of its stock was 'water,' and that it had been paying 8 per cent. dividends for fifteen years. About the same time a competent expert estimated that one-fourth of the total indebtedness of the railroads of the country (approximately \$8,000,000,000) was 'watered' stock.

¹ Ripley, *Railway Problems*, pp. 2-6.

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The railroad executives also exerted a tremendous influence upon the legislative, executive, and judicial departments of the state and national Governments. Their activities covered a wide range, from legitimate attempts to build up public opinion and legislative action in their favour to open bribery. As many of the roads depended for their early beginnings on land grants, it was only natural for them to attempt to force the legislatures to secure the passing of Acts favourable to themselves. One of the chief evils that sprang up in connexion with their political activities was the pass system. Legislators, judges, politicians of all degrees and kinds, were supplied with free transportation on many of the railroads. In return for this favour it was only to be expected that the recipients of the gratuities would do all in their power to further the interests of the railroads. It is a well-known fact that during the sixties the courts of the state of New York were the tools of the New York Central and Erie railroads. One writer referred to the state legislatures as irregular boards of railroad direction.¹ Nearly all the large railroads kept standing funds which were to be used to influence legislation and then charged to other accounts. The fact that public men in charge of the government were susceptible to these corrupt practices made them equally guilty with the railroad manipulators, and is a good indication of the generally low tone of public morality in the period following the Civil War.

The enormous increase in railroad mileage naturally brought with it in many cases unrestrained competition. This led to many rate wars in the seventies and eighties. The roads carrying grain from the Lake region to the sea-coast passed through the throes of a severe rate war about 1875. Rates were first cut by one road and then by another, until ultimately the profits were wiped out and the freight was being carried at a loss. This type of warfare is usually referred to in economics as cut-throat competition. The ultimate aim of such a rate war is to compel the weaker competitors to suspend operations or to sell out to their stronger rival. Obviously it is almost impossible for a railroad to suspend

¹ Adams and Adams, *Chapters of Erie and Other Essays*.

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operations, because most of its expenses, such as depreciation, go on whether the road is running or not. After several disastrous rate wars the railroad magnates began to realize that at best they were ruinous, and rarely accomplished what was expected of them. Consequently they devised schemes of rate fixing and pooling which, while beneficial to the railroads, usually resulted in higher rates to the consignor and hence to the ultimate consumer, the general public. A pool took various forms. Competing railroads sometimes divided up the business or the profits at the end of a given period on a prearranged basis, or they divided up the territory and permitted each road to have absolute say about its own district. The rates to be charged were generally fixed in advance. The weakness of the pools lay in the fact that they were based on 'gentlemen's agreements' rather than on written contracts, and if one road saw an opportunity of taking business or profits from a competitor the moral obligation was seldom binding.¹

Another serious complaint from the shippers was the fact that the railroads often discriminated between individual consignors, entire localities, and different classes of freight. The first abuse was known as rebating. Large consignors were granted special rates, the operation of which tended to force the smaller competitors out of business or into the clutches of the bigger companies. It was this abuse that enabled many large trusts and corporations to build up their powerful organizations. For example, the Standard Oil Company owes its early success to its ability to force such concessions from the railroads. Rebates took other forms also, such as the payment of rental for the use of private cars, the excessive rent paid for the use of terminals owned by shippers, the practice of under-bidding and under-classification, and the payment of commissions for securing freight.

The discrimination against localities consisted largely of charging lower rates where competition was active, and making

¹ The most successful pool organized was the Southern Railway and Steamship Association, founded in 1875 under the leadership of Albert Fink. A complete history of this organization will be found in Ripley, *Railway Problems*, chapter iv.

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up the loss in revenue by charging higher rates to places where competition was absent. The chief complaint of the shipper was against the 'long and short haul' abuse, which may be described as charging more for a short haul than for a long haul when the short haul was a part of the long haul. For example, goods could be shipped more cheaply from Rochester, New York, to Cincinnati, Ohio, by way of New York City, than they could from Rochester to Cincinnati direct, despite the fact that the goods passed through Rochester on their way to Cincinnati. This circuitous route was 700 miles longer than the direct haul from New York to Cincinnati. The reason given by the railroads for this discrimination was that the excessive competition at the terminal points, New York and Cincinnati, necessitated a higher rate at Rochester in order to keep up the revenue of the road. The effect on the merchants of Rochester is obvious. Their manufactured articles, even if produced at the same cost as those made in New York, must be sold for more money in Cincinnati in order to make up the difference in the freight rates.

The various abuses in transportation, which seemed to develop as rapidly as the railroads themselves grew, so thoroughly aroused the ire of the public that they determined to take action against them through their legislatures. Undoubtedly some action was necessary, largely because the railroad financiers continued to hold the belief that the railroads had the character merely of a private venture, rather than that of a public utility organization. Action was first taken in the West, where the evils of management and construction flourished together with the other evils of pooling and discrimination to a much greater extent than in the East, where conditions had become fairly stable. The movement gained great momentum through the formation of a society called the 'Patrons of Husbandry,' or, as it was better known, the 'Grange.' By 1875 this organization boasted of more than three-quarters of a million members in the Middle West alone. The activities of this association caused the passage of several laws in the states of Minnesota, Wisconsin, Illinois, and Ohio. They aimed to regulate rates either by the legislature or

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through a commission, to prevent discriminations of all sorts, and to prohibit the pass evil. As was to be expected, the railroads fought these revenue-reducing Bills with all the legal talent they could array. In the state courts the laws were usually upheld, but in the Supreme Court of the United States they met with a varying degree of success. In the case of *Munn v. Illinois* (1876) the Supreme Court decided in favour of the state's power to regulate common carriers—in this case a warehouse. The following passage from the majority decision is of the utmost importance. "Property does become clothed with a public interest when used in a manner to make it of public consequence, and affect the community at large. When, therefore, one devotes his property to a use in which the public has an interest, he, in effect, grants to the public an interest in that use, and must submit to be controlled by the public for the common good, to the extent of the interest he has thus created." A similar victory for the 'Granger' laws was gained about the same time in the case of *Peik v. The Chicago and North-western Railway Company*. In this case the Court upheld the power to regulate interstate rates, even though people outside of the states were affected, until such times as Congress should legislate on this matter. In 1886, however, the Court practically overruled these two decisions in the *Wabash Railway Company v. Illinois*. The charge against the railroad was that it was discriminating between localities in Illinois and New York City. The Supreme Court held that the action of Illinois was unconstitutional, because Congress alone had the power of regulating interstate commerce.

The public did not give up its fight because of this setback, however, but demanded that some action be taken to remedy the abuses by the national Government if the state Governments did not have the power. The question of regulation of railroads had been before Congress from 1874 on. Attempts to pass remedial legislation failed miserably. In 1885 a Senate committee created a committee to investigate conditions. After a thorough study of all phases of railroad management and operation, the committee finally presented a

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Bill which aimed at controlling the railroads through Government regulation. The result was the famous Interstate Commerce Act, which became a law when President Cleveland signed it on February 4, 1887. "This act, in brief, provided against discriminations, prohibited the pooling of traffic, made it illegal to charge more for a short haul than for a long haul over the same line, and required the railroads to file their tariffs, which were to be open to the public. It provided for a commission of five members, none of whom could be taken from the ranks of railroad men, or could own any railway securities. In general, the commission was given power of investigation; carriers must produce their books and testify. If the commission discerned a violation of the law, it could order the violator to desist from his illegal acts and fine him five thousand dollars; the victim of discrimination could also collect damages. The orders of the commission, however, did not have the binding force of a decree by a court, nor did its powers cover traffic wholly within a state. If the carrier disobeyed the order it could be coerced only by equity proceedings in the federal courts, after an appeal for an enforcement of the order. The commission was also given power to provide a uniform system of railway accounting, and to obtain from each road an annual report of its operations and finances." ¹

Naturally the law was opposed from every angle by the railroads. They evaded its provisions by doing in secret what they had done openly before. Discriminations still continued and rebates were freely given, although cunningly hidden under other charges. Many prominent economists were opposed to the abolition of pooling, largely because they feared the return to the old rate wars and their ruinous cut-throat competition, which has no place among common carriers and public utilities. The work of the commission was constantly hindered and hampered by the courts, which permitted long-drawn-out proceedings to be reopened on the slightest pretext. Progress was extremely slow, and for a long time it seemed that the Interstate Commerce Act was

¹ Dewey, *National Problems*, pp. 98-99.

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going to be a failure. The one appreciable gain, however, was the fact that the principle of Government regulation was established and recognized by practically everybody. With this idea firmly planted, future regulation would be merely a matter of wise and efficient legislation.

TRUSTS AND TRUST PROBLEMS

The success which accrued to the railroads as a result of consolidation and pooling agreements had a tremendous effect upon the growth of combinations in the industrial world. The tendency to combine in the manufacturing industries showed a much slower development than in the case of the railroads. Various reasons have been advanced for this, among them being the fact that the railroad was a natural monopoly in any case and that capital was much more easily attracted to transportation enterprises than to manufacturing ones. The first traces of the movement among the manufactures appear after the panic of 1873. In its earliest form it was largely confined to the establishment of corporations rather than individual or partnership organizations. The corporation permitted the leading spirits to expand their capital enormously by attracting the general public, while at the same time it reduced the liability which accompanied the non-incorporated businesses. These corporations entered upon large-scale production, economy in machinery, specialization, utilization of waste products, and centralized control of selling, advertising, and buying. The inevitable result is shown statistically by the fact that between 1870 and 1890 the value and amount of the output and the number of people employed increased manifold, although the number of establishments engaged in business materially decreased. Large-scale production and the development of transportation facilities led to bitter competition among the various manufacturers engaged in the same business. Price wars and cut-throat competition similar to the rate wars of the railroads led to ruinous conditions in the industrial field.

Just as the railroads sought relief from the almost unbearable conditions that attended rate wars, so did the industrial

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corporations. Agreements were entered into among the large producers in any one field, aiming at the control of prices and output. Attempts were made to bring all the companies engaged in one line of endeavour under one management, or, if that could not be achieved, to make harmonious working agreements between them. These combinations, besides benefiting from large-scale production, were able to secure favourable rates from railroads on the threat of diverting their traffic to some other road. This was an effective weapon against the smaller competitor. By the relentless use of it he was compelled either to join the combination or else go out of business.

One of the first examples of this concentration of industry was the coal trust, which resulted in six or seven railroads gaining control of nearly 100 per cent. of all the anthracite coal produced in the United States. The classic example of the formation of a trust, however, is that of the Standard Oil Trust. A brief sketch of its history will suggest the conditions which obtained with the numerous other trusts and corporations which sprang up between 1870 and 1896. In 1865 John D. Rockefeller and some associates started an oil-refining business in Cleveland, Ohio. Oil was in great demand throughout the world and was produced in a comparatively small area of the United States, largely in Western Pennsylvania. As the demand for it increased many companies with a large amount of capital entered the field, and competition became keen. Rockefeller, with instinctive business ability, keen foresight, patience, will-power, sagacity, ability to select assistants, and unlimited shrewdness, soon made his company the largest and most powerful in Ohio. In order to forestall ruinous competition Rockefeller organized (1872) the South Improvement Company of Pennsylvania, which consisted of a combination of the twelve most powerful refiners in the Pittsburgh district. The chief purpose of this organization was to make advantageous rates for the transport of oil with the railroads. By threatening to take its traffic away it compelled the Pennsylvania, Erie, and New York Central systems to sign one of the boldest rebate contracts ever known. The

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South Improvement Company was to get rebates of from 25 to 50 per cent. on all its oil, crude and refined, conveyed by these roads, which were to divide the business. Besides this it was to get a similar rebate on all oil shipped by independent companies which did not belong to the organization. In this way the company would know from day to day the exact amount of business its competitors were doing. With this powerful weapon as a lever, Rockefeller set out to buy up the independent concerns. Within three months' time he was so successful that the output of the Standard Oil Company of Ohio jumped from 1500 to 10,000 barrels a day. A bitter 'oil war' was started by the independent companies of West Pennsylvania, and their political efforts were so successful that the state of Pennsylvania took away the charter of the South Improvement Company. The railroads pretended to annul the rebate contract, but in reality the conditions remained much the same. After the charter of the South Improvement Company was taken away, the National Refiners Association was formed under the leadership of Rockefeller. This was a pool formed to control prices and output. It lasted only a year, because some of the members refused to live up to the agreements.

Rockefeller persisted, however, in his efforts to monopolize the oil industry. He determined to force his competitors to sell outright to the Standard or to submit to its control. The other alternative was to go out of business. His methods were to build up scientifically his own manufacturing plants so that he could produce at the lowest possible cost and with a minimum of waste. Then he could enter his competitors' field and undersell them to such an extent that they were forced either to accept Rockefeller's terms or to go out of business. The rebate was a valiant ally of the Standard. By 1882 the process was completed, and Rockefeller and his associates controlled practically the entire oil output of the United States. He organized his assortment of subsidiaries into four large companies, the Standard Oil Company of Ohio, New Jersey, Pennsylvania, and New York. These were then secretly united into the Standard Oil Trust, which meant that

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all their stock was controlled by a central board of directors, headed by Rockefeller, in return for which they received certificates of stock in the Trust. All the profits of the companies were gathered in by the central board of directors and paid out according to the amount of Trust certificates each company held. The monopoly was strengthened from time to time by permitting independents to join the Trust under similar conditions. The Trust was attacked in the Ohio courts in 1888, and it promised to dissolve. The process of dissolution was a sham. The trust was broken up as such, but was practically continued under the head of one big corporation, known as the Standard Oil Company of New Jersey.

The success of the Standard Oil Company led to its imitation in many fields of endeavour. The same unscrupulous methods and tactics were used, and in many cases the same degree of success was attained. Some of the most notable examples of these trusts were combinations in cotton oil, linseed oil, cordage, coal, sugar, whisky, and lead. As these huge industrial combines developed and spread their control throughout the entire country public opinion gradually turned against them. That this feeling of revulsion was justified is undeniable. Few, if any, of the trusts used their large-scale production to reduce prices. They were not satisfied, apparently, with a fair return, but seemed guided by the principle "charge all the traffic will bear." Their development was accompanied by many of the abuses that had grown up in connexion with railroad consolidation. Stock speculation on a huge scale was indulged in, and often the trusts were used as a means of enriching the directors at the expense of the stockholders. Another form of stock manipulation was the practice of 'watering' the stock, a process which has been described in connexion with the growth of railroads. Other sources of public complaints were the growing influence of corporations and trusts in politics and the ruthless and almost inhuman manner in which they crushed competitors both large and small. The individual had not the slightest chance of surviving once the Trust started to crush him.

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A justice of the Supreme Court said in this connexion : " All who recall the condition of the country in 1890 will remember that there was everywhere, among the people generally, a deep feeling of unrest. The nation had been rid of human slavery . . . but the conviction was universal that the country was in real danger from another kind of slavery sought to be fastened upon the American people, namely, the slavery that would result from aggregations of capital in the hands of the few . . . controlling for their own advantage exclusively, the entire business of the country, including the production and sale of the necessities of life."

As the suspicions and distrust of the public grew, demands were made with ever-increasing force that either the state or national Governments should take action to remedy the existing abuses. As early as 1872 the political parties had recognized the growing evil, but each successive platform failed to suggest any practical method of reform. The Democrats claimed that the tariff was the great trust which made the others possible. The Republicans vehemently denied this, and in fact seemed to favour the existence of such organizations. There were several difficulties in the way of taking action against the trusts, however. The sanctity of contracts, of which a charter was a form, was guaranteed by the Constitution and upheld time and again by the Supreme Court. The national Government was restricted in so far as it had no constitutional power to interfere with the right of a state to grant a charter. Besides these legal difficulties there was the feeling that the Government had no right at all to interfere in private enterprises. This was thoroughly in accordance with the prevailing theory of economics, known as *laissez-faire*.

Outraged public opinion would not be denied, however. By 1890 several states had passed anti-trust laws. Presidents Cleveland and Harrison and many of the prominent men in Congress had all called attention to the existing evils of trust development. A committee of the Senate made a thorough investigation, and finally presented a Bill, known as the Sherman Anti-Trust Act of 1890, which relied for its constitutionality on the power of Congress to regulate interstate

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commerce. It provided that "every contract, combination in the form of trust or otherwise, or conspiracy in restraint of trade or commerce among the several states or with foreign nations is . . . illegal," and that "every person who shall monopolize or attempt to monopolize any part of the trade or commerce among the several states or with foreign nations, shall be deemed guilty of misdemeanor."

The Sherman Anti-Trust Act was no more effective in controlling the situation than the Interstate Commerce Act had been in controlling the railroads. During the first few years of its existence the Government was invariably unable to obtain a conviction, many of the indictments being quashed before a trial of the facts was held. Even when a conviction was obtained the fine imposed was ridiculously low, or, if the trust was ordered to dissolve, it broke up into its component parts, under the management of one board of directors. Another thing that added to its general ineffectiveness was the wide divergences in the corporation laws of the various states. Some states had strict regulations concerning incorporating, while others were so lax that the trusts had no difficulty in becoming huge single corporations or holding companies.¹

"The Supreme Court of the United States decided in 1895 that manufacture and production are no part of interstate commerce, and that an attempt to monopolize manufacture is not necessarily an attempt to monopolize commerce. Only when the natural and direct effect of an agreement is to restrain interstate commerce can the Anti-Trust Act be invoked. Congress could not, therefore, exercise a restraining power at the origin of the evil. Some monopolies Congress could not regulate since they could not be brought under the interstate commerce provisions of the constitution; others the state could not regulate because of the shelter provided by this same constitutional clause. Effective control of industrial monopoly, therefore, fell between two stools."² "To the public it seemed that the corporations were impregnable, for even the United States Government could not

¹ A holding company is one which has a controlling interest in several other companies.

² Dewey, *National Problems*, p. 202.

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control them.”¹ Here again, however, as was the case with the Interstate Commerce Act, the principle of Government control was established, and this Act could well serve as a basis for future legislation.

THE CLASS CONSCIOUSNESS OF LABOUR

The close of the Civil War found the position of the workers, agricultural and industrial, in a very confused and precarious condition. The dawn of peace cast almost two million men who had served in the Northern and Southern armies back into the labour market. Added to this number which must be absorbed was the never-ending stream of emigrants that poured into the United States from Europe and Asia. This additional labour from outside made it harder for every one to get a position, and had the natural tendency to lower the standard of living and the wages of American workmen. Labour, like articles of commerce, is subject to the law of supply and demand. When the supply is rapidly increasing and the demand remains fairly constant wages automatically drop. This is particularly true of the unskilled workman. Apart from this human element, the lot of the labouring man was adversely affected by the rapid increase in the use of machinery. Fewer men were needed to carry on an industry, and in many cases the work which was formerly done by men was now more effectively accomplished by machines operated by women or children, who were not paid the wages ordinarily given to men. The use of machines also had a tendency to make the workman discontented, largely because he felt that he was not being paid a wage commensurate with the increased production of which he was capable with the aid of machinery. He saw his master ‘rolling in wealth,’ and declared the injustice of an economic system which permitted capital to obtain practically all the profits which he felt his labour had produced. In other words, the workman at the close of the war began to ask himself whether he was receiving a fair return for the effort he was putting into industry. His answer to the question,

¹ Lingley, *Since the Civil War*, p. 258.

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then as now, was that he was not, and he made up his mind to strive for what he thought to be his just return.

It was only natural during this period for him to turn to organization and consolidation. As a workman and as a member of the general public, he saw the benefits of these methods as illustrated by the huge railroad systems and the trusts. While it is true that labour organizations had existed in the United States since the late twenties, it is also true that these movements were sporadic and, generally speaking, ineffective. The humanitarian movement that was spreading throughout the world in the third and fourth decades of the nineteenth century (for example, the work of Robert Owen in England) was abruptly checked in the United States by the Civil War. After the war labour, vaguely conscious of a class-struggle between itself and capital, determined to meet organization with organization and consolidation with consolidation, and to gain its ends through action of the working class as a whole.

The first concentrated attempt toward organization was the formation of the Society of the Knights of Labor in Philadelphia in 1869. At first it was a secret society, but in 1881 it gave up the element of secrecy, because all kinds of malicious rumours were spread abroad concerning it. The Knights embraced all kinds of workmen, without limitation as to trade or craft. Its motto was "The injury of one is the concern of all," and it aimed at bettering the conditions of members economically, socially, and politically. Its growth was extremely rapid, the membership being about 700,000 in 1885-86. Unfortunately for the society, this rapid growth included members of some of the most radical types of anarchists from Europe, who soon took the control of the organization from its officers. This, coupled with the failure of several strikes backed by the organization, caused a rapid decline in membership after 1885.

The power wielded by the Knights of Labor was quickly absorbed by a new organization which was born in 1881 and which took the name of the American Federation of Labor in 1886. The purpose of this organization was to

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unite the workers according to trades or industry. The trade union governed itself, but was affiliated with the central body. Representatives from the various unions were to be sent to the annual convention of the Federation. The growth of the American Federation of Labor was even greater than that of the Knights of Labor. In twenty years its membership was said to have reached almost two million workers. The movement toward organization in the industrial world had a striking parallel in the agricultural world, for, after all, the Patrons of Husbandry (the 'Grange') and similar organizations were founded because a group of men became conscious of the fact that they were a weaker class in the period of expansion.

The labour organizations were formed for certain specific reasons, namely, to abolish abuses of the existing system and to ameliorate their working conditions. The abuses largely consisted of excessive hours of labour and insufficient wages. About 70 per cent. of the strikes between 1877 and 1896 resulted from these two causes of unrest. Another abuse that existed in congested labour districts, such as mining towns and manufacturing cities, was the custom of the employer of making his workmen buy all their supplies at the company stores. The prices in these stores were outrageously high, but failure to patronize them jeopardized a man's position. Other reforms demanded by the workman were the remedying of insanitary conditions, protection against fire, proper ventilation of factories, guards for dangerous machinery, etc.

Continual agitation for reform in the decade following the war produced very few tangible results. The national Government and a vast majority of the states took no action whatever, and the few states that did honestly attempt to alleviate the conditions of labourers failed properly to enforce their laws. The natural result was the use of the only effective weapon of labour, the strike. It was first used on a large scale in the great railway disturbances of 1877. The origin of the strike was the reduction of wages of train hands by the Baltimore and Ohio Railroad. It rapidly spread over

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nearly all of the Northern roads between the Mississippi and New England. A hundred thousand men went out and 'tied up' 7000 miles of track. Unfortunately for the cause of the men, violence occurred at various points, such as Martinsburg, West Virginia, and Pittsburg, Pennsylvania, and millions of dollars' worth of damage was done. The militia was called out, but with such small effect that President Hayes was compelled to send large bodies of Federal troops into the affected districts before the rioting was quelled. This method of repression by force seemed the natural one to the political and industrial leaders of the day, who were not sufficiently awake to investigate the causes of such a movement with the idea of correcting growing abuses and thus preventing further outbreaks.

As the railroad and industrial combinations grew in power the unrest among the labouring elements and the frequency of strikes increased. In nearly all the cases where the workman laid down his tools the capitalist class was successful. Two prominent examples of this were the ineffective railroad strikes at St Louis and Chicago in 1886, both accompanied by great violence, which resulted in the loss of life and property. The workers met with a similar setback in their strike against the Carnegie Steel Company in Homestead, Pennsylvania, in 1892. The greatest of all strikes during this period, however, was the Pullman car strike of 1894. This originally was a very small disturbance. Following the panic of 1893, which left business in a rather depressed condition, the Pullman Palace Car Company reduced the wages of some of its employees. They objected to this, and when they obtained no redress they went out on strike. The side of the men was taken by the American Railway Union, one of the most powerful organizations in the country at the time, and naturally the General Managers' Association came to the aid of the Pullman Company. The result was that a strike of gigantic size was called. All the trains entering or leaving Chicago ceased running, acts of extreme violence were committed, and millions of dollars' worth of property was destroyed. President Cleveland sent

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Federal troops to Chicago to quell the riots, on the grounds that the delivery of the United States mails and interstate commerce in general were being interfered with. He did this in spite of the disapproval of the governor of the state, who maintained that he was able to deal with the situation. The most important part of the entire affair, however, was the attitude of the Federal courts. These issued so-called 'blanket injunctions,' which ordered the officials and members of the union not to interfere with any railroad property or to obstruct the operation of the roads in any manner, such as forcing or persuading men to leave their work. The violator of this injunction could be brought before a Federal judge and sentenced for contempt of court without a trial or even a hearing. Several officers of the union were imprisoned in this fashion. The use of the 'blanket injunction' gave rise to the phrase 'government by injunction,' which is usually spoken of sarcastically by the workmen. The use of Federal troops and the judiciary of the country only tended to strengthen the belief of the worker that he was a member of a class that was being oppressed by another class which had a powerful ally in the Federal and state Governments. The loss of the Pullman strike seemed to bear out this belief.

The one beneficial result of this tremendous industrial upheaval was the placing of the situation clearly before the people. Up to this time neither of the two great political parties had given labour sufficient thought either to legislate for it or even to mention it in its platform. The small minority parties that had cropped up during the various Presidential elections following the war had had definite platforms, but were too small numerically to accomplish anything. The determination of labour to rely on political action, particularly after the failure of the strike as an effective weapon, aroused the leaders of the Republicans and Democrats to the dangers and possibilities of the labour vote, and compelled them either to revise their platforms so as to make room for labour or else to face the alternative of a powerful third party, which might

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ultimately wrest the control of the government from their hands.

THE SILVER QUESTION

The question of silver coinage was destined to play a predominant part in the history of the United States between 1875 and 1896. Although there had been silver coinage and suspension of it before 1875, there had never really been a 'silver question' nor a 'silver party.' Although silver had been a part of the currency of the United States since Washington's administration, very little of it had been coined from his time until 1875—in fact, only about 8,000,000 dollars' worth. Up to 1834 the Government mints were authorized to buy all the silver bullion presented for coinage at the rate of 15 to 1—*i.e.*, fifteen ounces of silver for one ounce of gold. After 1834 the ratio was approximately 16 to 1. The silver-mine owners did not take advantage of this 'free coinage' (unlimited coinage) policy of the national Government, because they were able to command a higher price for their product in the open market among the silversmiths, jewellers, dentists, etc. The fact that so little silver bullion was brought to the United States mint to be coined into silver dollars led to the omission of the silver dollar from the coinage list in 1873.

About this time many new silver-mines were discovered in the West, and the supply of the white metal increased manifold. The annual output of the metal was about \$1,000,000 in 1861, but by 1875 it had jumped to \$30,000,000. The inevitable result was that the market was flooded, and the price of silver declined precipitously. The mine-owners demanded that the 'crime of '73,' which stopped the free coinage of silver, should be repealed and that they should be permitted to sell their silver to the Government at the ratio of 16 to 1. The reason for this is evident. The market value of silver had fallen below 16 to 1, and now the mine-owner's profits would be greater if he were to sell his product to the Government at that ratio. It was only natural, therefore, for the mine-owners to keep a steady pressure on

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the Government in order to gain their end. They were joined in their demand for free coinage of silver by a great number of Western farmers, who desired to see the amount of currency in circulation increased. They felt that this would raise prices of agricultural products in accordance with the quantity theory of money—*i.e.*, the more money there is in circulation the greater amount will be paid for any article. They also felt that they were in the clutches of the Eastern bankers, who undoubtedly controlled a large proportion of the gold in the country, and who were thus responsible for the prevailing high rate of interest and transportation charges.

In accordance with the wishes of the mine-owners and the Westerners, Representative Bland of Missouri introduced a measure into Congress providing for the free coinage of silver at the ratio of 16 to 1. The Bland Bill was changed in the Senate largely as the result of the efforts of Allison of Iowa. His amendment provided that instead of free coinage the national Government should purchase not less than two nor more than four million dollars' worth of silver per month for coinage purposes. The amended Bill, known as the Bland-Allison Bill, passed both houses of Congress in 1878. Although it was vetoed by President Hayes, the silver men were able to obtain the necessary two-thirds vote to pass it over his veto. The Government purchased the minimum amount required by the law, and adopted the policy of issuing paper certificates for part of the bullion bought. This was done because the silver dollar was a cumbersome and heavy coin to transact business with.

The Bland-Allison Act failed to satisfy the free-silver men and did little to solve the currency problem. The price of silver steadily declined during the eighties, with the result that the value of the metal in the dollar dropped from ninety-three cents in 1878 to seventy-one in 1889. Presidents Arthur and Cleveland again and again requested that the law be repealed on economic grounds. Cleveland stated the principle of Gresham's law—*i.e.*, that bad money drives good money out of circulation, cheap money drives out dear, and overvalued money drives out undervalued money. As soon as the amount

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of currency in circulation became too great the tendency would be to withdraw gold money and hoard it, and thus gradually put the country on a silver standard. Although Cleveland's warning was sound, it did not take effect immediately, chiefly because the country passed through a period of such great expansion that it was able to absorb the \$378,000,000 coined under the Bland-Allison Act. Other causes that tended to delay the forced adoption of a silver standard were the falling off in the volume of National Bank notes in circulation and the fact that the national revenues were considerably greater than the expenditures, some of the surplus being stored in the Treasury.

The annual surplus between 1880 and 1890 averaged \$100,000,000. This created a problem which the political leaders had to solve. The chief suggestion was the reduction of the national debt. There was one difficulty in the way of spending the surplus in this manner, however. The Government bonds to a large extent were not redeemable until 1881 and 1907, and if the Government desired to retire some of them it would have to purchase them in the open market, where they were selling at from twenty to thirty points above par. In 1888 an attempt was made to do this, with the inevitable result that the market value immediately advanced. With this method of disposing of the surplus shut off, two possibilities remained: either the revenues must be reduced or the expenditures increased. As the Republicans were unalterably opposed to the reduction of the high protective tariff, the chief source of the surplus, they took the other alternative and increased the expenditures. This was done by increasing manifold the money spent on pensions, river and harbour improvements, and the navy.

In the meantime the champions of the free coinage of silver, who had been relatively quiet during Cleveland's first administration (1885-89), probably because of his open hostility to their movement, renewed their agitation when Harrison succeeded to the Presidency in 1889. As a result, the Sherman Silver Purchase Act was passed in February 1890. It provided that the Government was to purchase

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4,500,000 ounces of silver bullion per month, in return for which it was to issue Treasury notes of the United States, which were to be legal tender for all debts, public and private. The notes were to be redeemed in either gold or silver at the will of the Secretary of the Treasury. This Act practically doubled the amount of silver purchased under the Bland-Allison Act. It was passed by a strict party vote, the Republicans favouring it and the Democrats opposing it.

Despite this aid to the silver men, the price of silver gradually fell. Gold was driven from circulation, and silver certificates were presented to the Treasury for redemption in gold, and customs duties were paid in the white metal. The gold supply of the Treasury rapidly dwindled, and silver took its place. When Cleveland was inaugurated for the second time in 1893 the situation was exceedingly critical. During Harrison's administration the expenditures had greatly increased and the revenues decreased, with a consequent falling away in the surplus. The amount of money in circulation was rapidly increasing, with the usual rise in prices and a tendency toward speculation. Cleveland believed that the Sherman Silver Act was the cause of most of the woes of the country, and called a special session of Congress in August 1893 to urge its repeal. It was not until October that the Senate finally voted the repeal of the measure. The two parties divided on the silver issue this time, the West and South against the repeal measure and the North and East for it. The agitation over the silver question was heightened by the severe industrial depression and panic that swept the country in 1893-94. As was to be expected, the free-silver men blamed the administration for the economic and industrial depression. Further criticism of Cleveland followed when he entered into an agreement with private bankers, headed by J. P. Morgan, to keep up the gold reserve of the national treasury.

Such was the situation when the election of 1896 approached. Both parties were divided into factions over the silver question. The Democratic administration was held responsible for the financial and industrial depression

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of 1893-94 ; it was condemned for the use of the army and the injunction in the Pullman strike ; the Wilson-Gorman Tariff Bill had caused a breach between Cleveland and Congress ; and Cleveland's financial arrangement with Morgan had made him thoroughly unpopular with the South and West. Cleveland himself was no longer the leader of the party. In fact, the party had no leader of national prominence and was split into gold and silver wings. The silver men determined to take advantage of the weakened conditions of the two major parties and get control of the machinery of one of them in order to further their free-silver ideas. The desire for the free coinage of the white metal spread through the West and South like wildfire. Nearly every one in those sections was thoroughly familiar with the arguments in favour of bimetallism. Mass-meetings, debates, editorials, and educational institutions all became vehicles of propaganda and invariably laid all the woes of the country at the doors of the gold standard. It was quite evident that one of the two parties had to adopt a silver plank or else face the alternative of having a third party in the field.

The choice of candidates was a difficult one. No leaders were of national prominence. Cleveland was unpopular with a large and influential group of his party, and Blaine had died in 1893. The selection of the Republican nominee was largely the work of one man, Marcus (Mark) A. Hanna, a man of wealth, resource, and action. A mutual friendship and admiration of great warmth had sprung up between him and William McKinley of Ohio. McKinley was an ardent protectionist (the sponsor of the McKinley Tariff Bill), and believed, as did Hanna, that good government and industrial progress depended entirely upon the Republican party. In order to secure the nomination for his friend Hanna raised and spent thousands of dollars for publicity of various kinds. He fought the nomination of 'favourite sons' in several states, and conferred with practically all the local Republican leaders in the various sections of the country. By adroit means he prevented his candidate from openly expressing

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himself on the silver question before the convention met in St Louis in June 1896. By so doing he hoped to hold the party together until McKinley was nominated.

The Republican convention adopted the usual type of party platform, and, as was to be expected, roundly accused the Democrat party of "unparalleled incapacity, dishonour, and disaster." The currency plank caused much discussion, and a demand was made for a definite statement that the Republican party stood for the gold standard. The demand was irresistible, and as a result the following 'plank' was adopted with the tacit consent of both Hanna and McKinley, whose selection was now assured: "We are, therefore, opposed to the free coinage of silver, except by international agreement with the leading commercial nations of the world, which we pledge ourselves to promote, and until such agreement can be obtained the existing gold standard must be preserved." McKinley was nominated by an overwhelming majority on the first ballot. Hobart of New Jersey was selected as his 'running mate.'

The Democratic convention met in Chicago in July 1896, and was very shortly under the control of the radical free-silver men. The platform demanded the free coinage of silver at the ratio of 16 to 1, without waiting for international action. It opposed the McKinley tariff, attacked the Supreme Court, objected to government by injunction, and demanded laws protecting the interests of the labouring classes. After several speakers had spoken on the platform, and had failed to express the feelings of the convention, William J. Bryan of Nebraska took the platform. He was a young man, only thirty-six years old, and comparatively unknown outside his native state. His chief claim to fame was the possession of remarkable oratorical ability. In a brief speech he summed up the position of the radical silver men. He met the claim that free silver would disturb business by stating that the wage-earner, the country attorney, the cross-roads merchant, the farmer, and the miner were just as much business men as the employer, the great corporation counsel, the merchant of New York, the trader in

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grain, and the financial magnate. He said that the currency issue was far more important than the tariff issue, for while "protection has slain its thousands, the gold standard had slain its tens of thousands." In a remarkable ending he stated that, "Having behind us the producing masses of this nation and the world, supported by the commercial interests, the labouring interests, and the toilers everywhere, we will answer their demand for a gold standard by saying to them: 'You shall not press down upon the brow of labour this crown of thorns; you shall not crucify mankind upon a cross of gold.'" Bryan's brief speech cleared away the uncertainty as to whom the party should nominate, and he was selected on the fifth ballot. Arthur Sewell of Maine was chosen for the Vice-Presidency.

The campaign was marked by wide public interest. Each party carried out a widespread educational campaign, and distributed quantities of literature among the voters. While McKinley remained at home and addressed visiting delegations, Bryan toured the country, making 600 speeches to 5,000,000 people. The result of the election was decisive. McKinley received 7,000,000 votes, 500,000 more than Bryan. The electoral vote was 271 to 176. The election definitely placed the United States on a gold standard, and continued the influence of 'big business' over the Government. The election also turned the Democratic party over into the hands of a radical group, which comprised most of the discontented elements of the country.

FOREIGN RELATIONS, 1877-98

The period after the close of the reconstruction period was marked in diplomatic affairs by a change in the isolation policy adopted up to that time. The new school of diplomats developed the policy of taking a strong position in the Pacific, where the United States had territorial and commercial interests, as well as in the republics to the south. This meant, of course, that a navy had to be developed of sufficient strength to uphold the new policy. Many feared that such a change would develop into militarism, while many others

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thought it would be unconstitutional for the United States to have dependencies.

The first step in securing a strong foothold in the Pacific concerned the Samoan Islands. The native Government of these islands had granted commercial privileges to the American, British, and German Governments. In 1885 the Germans, who had adopted a very aggressive policy, made a move to take control of the islands, but were thwarted by an unauthorized act on the part of the American consul. A triple conference met at Washington (1887) in order to settle the question of the control of Samoa. Before any agreement was reached a native rebellion occurred, as a result of which the Germans obtained virtual possession of the islands. The three countries involved appeared to be on the brink of war, but armed conflict was avoided by a sudden hurricane in March 1889 which destroyed all the war-vessels of the three countries that were in the harbour of Apia (Samoa). In the following month a tripartite agreement was reached, which established a protectorate over the islands. This met with only varying success, and was superseded in 1900 by an agreement which provided for the withdrawal of Great Britain entirely, and the transference of the island of Tutuila to the United States and the remainder of the group to Germany.

Another diplomatic dispute occurred in the north-eastern corner of the Pacific. This was the Bering Sea controversy over the question of seal-hunting. The United States made the extravagant claim that the Bering Sea was a closed sea (*mare clausum*), and that therefore it could control the seal-hunting there. In accordance with this view-point the United States gave notice in 1889 that the promiscuous killing of seals must cease. Many British vessels were seized outside the three-mile limit because they violated this law. England protested vehemently and disputed the American claims. The matter was finally arbitrated in 1892. The decision, which was given against the United States, declared that the Bering Sea was not a *mare clausum*, and that damages must be paid to Great Britain for the illegal seizure of the

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vessels. The damages amounted to almost half a million dollars. A set of rules and regulations governing the seal-hunting was also drawn up.

The relations with South American states during the period under discussion were very unstable. The Monroe Doctrine was not particularly acceptable to the republics of South and Central America, and England and Germany had little difficulty in out-distancing the Americans in trade and commerce. The old idea of a union of the two continents seemed visionary and impracticable largely because the other republics seemed to fear the position of the United States in such an agreement. Despite the lack of really cordial relations, the United States was often called upon to arbitrate difficulties. In 1872 a dispute between Colombia and some British subjects was satisfactorily settled, and later on disagreements between Argentina and Paraguay, Costa Rica and Nicaragua, and Argentina and Brazil were peacefully adjudicated. An attempt on the part of the Secretary of State, Blaine, to form a Pan-American Union was cut short by the untimely death of Garfield in 1881. He renewed his scheme under the Presidency of Harrison, and succeeded in establishing the International Bureau of American Republics, which later developed into the Pan-American Union. While this body has no governmental powers, it has done much to promote and preserve friendly relations between the American republics.

An incident that did much to disrupt harmonious relations was a dispute which arose between the United States and Chile. In 1891 a successful revolution overthrew the Chilean president, Balmaceda. The American minister sympathized with President Balmaceda, who was unpopular with the British and German residents and interests. A revolutionist warship was seized by the American Government in American waters on the ground that it had violated the laws of neutrality. It made its escape, but was recaptured by an American cruiser. The release of the vessel was later ordered by a United States court on the ground that its pursuit and capture had not been in accordance with international laws.

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Naturally the revolutionists were very bitter against the Americans, and gave vent to their wrath in a street brawl in Valparaiso, in the course of which an American sailor was killed. War seemed imminent and was only averted when Chile apologized and made financial reparation. Blaine's aggressive attitude in the matter had aroused a large amount of hostile criticism.

Blaine also had a diplomatic ruffle with Italy. In 1890 the chief of police in New Orleans was murdered under circumstances that pointed to the Mafia, an Italian secret society, as the perpetrator of the deed. Several of the members of the band were arrested, but were not found guilty. Public opinion, believing that justice had miscarried, seized eleven prisoners, all Italian citizens, and killed them. Italy protested, demanding that the guilty be punished and an indemnity paid to the relatives of the victims. When this was not done immediately the Italian minister was withdrawn. The United States as such was powerless to interfere, because in cases of this kind action lies with the individual state. Harmonious relations were restored, however, when the national Government expressed regret and paid an indemnity of \$24,000.

A very vexatious question that arose during the second administration of Cleveland concerned Hawaii. During the first three-quarters of the nineteenth century the relations between the United States and these islands had been very friendly. In 1875 a treaty was signed between the two countries which provided for trade reciprocity and the agreement that Hawaii should never become the property of another country. This paved the way for future annexation. As the business interests of the United States merchants increased, they compelled the King of Hawaii (Kalakaua, 1873-91) to grant reforms and concessions. He was succeeded in 1891 by his sister, Princess Liliuokalani, who favoured the restoration of complete monarchical rights. Her attempts to change the government led to a successful revolution (January 17, 1893) and the establishment of a republic under the presidency of S. B. Dole. A treaty was negotiated with the United States,

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seeking annexation. Action on it in the United States Senate was delayed until President Cleveland was inaugurated. He immediately withdrew the treaty and sent James H. Blount to Hawaii to investigate. As a result of his investigations the latter reported that the revolution had been carried out largely on account of the machinations of the American minister. Cleveland, in a strong message to Congress, stated that a wrong had been committed and that the only thing to do was to right it. This was only possible through the use of force, however, because the provisional Government refused to surrender its powers to Liliuokalani. Cleveland's action merely delayed annexation, because when the Republicans returned to power in 1897 they annexed Hawaii by means of a joint resolution (July 1898). A subsequent Act (1900) created the territory of Hawaii.

A controversy pregnant with far greater possibilities than any of those just mentioned was the dispute with Great Britain concerning the Venezuela-British Guiana boundary question. The disagreement between Venezuela and Great Britain was an old one, dating back to 1814, when Great Britain acquired Guiana from the Dutch. In 1840 the British had fixed the boundary line, but included a large area that Venezuela claimed. The discovery of gold in the disputed region made a settlement of the question imperative. Venezuela requested in 1876 that arbitration be resorted to, but after this was refused suspended diplomatic relations in 1887, when another suggestion of arbitration was refused. When Cleveland returned to the President's chair in 1893 he immediately became interested in the affair. His Secretary of State, Olney, sent a note to Lord Salisbury, the British Foreign Minister, which brought the matter to a climax. The American note maintained that the dispute rightfully came under the Monroe Doctrine, since Great Britain was practically appropriating territory belonging to a South American republic. He further stated that the United States was vitally concerned since it was "practically sovereign on this continent."

Lord Salisbury's reply was not sent for four months. He

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intimated that the Monroe Doctrine was no part of international law and that a mere frontier boundary dispute did not fall within the realm of political extension or control. While he was fully in accord with arbitration as a means of settling disputes, he was willing to submit only part of this disputed area to that means of adjudication. The general tone of the note was patronizing. President Cleveland placed this note before Congress with a strong message demanding that if Great Britain refused to arbitrate it was the duty of the United States to determine the proper boundary line. "When such report is made and accepted it will in my opinion be the duty of the United States to resist the appropriation by Great Britain of any territory which, after investigation, we have determined of right belongs to Venezuela. In making these recommendations I am fully alive to the responsibility incurred, and keenly realize all the consequences that may follow. I am nevertheless firm in my conviction that while it is a grievous thing to contemplate the two great English-speaking peoples as being otherwise than friendly, there is no calamity which equals that which follows a supine submission to wrong and injustice."

In accordance with Cleveland's wish Congress made arrangements for the investigation. Feeling ran high in both countries, and a disastrous war seemed imminent. The cooler heads on both sides, however, kept the 'Jingoes' in check. Before the American commission had finished its labours Great Britain and Venezuela had settled their dispute by treaty. The importance of this affair lies in the fact that new life was given to the Monroe Doctrine and that the attention of the world was called to the dangers underlying the existent haphazard methods of diplomacy.

CHAPTER V

THE WAR WITH SPAIN

PRESIDENT McKINLEY was inaugurated on March 4, 1897. He had had considerable experience in public life, having served in Congress as a member of the House for ten years and having been governor of the state of Ohio for three terms. He was thoroughly familiar, consequently, with the workings of the legislative branch of the Government, and was able to lead the House into his way of thinking, which was in closest contrast with Cleveland's attempts to drive it. John Hay said of him: "He had the profoundest respect for authority and an inflexible belief in the ultimate rectitude of its purposes." "He was not likely to embarrass business through bluntness and inexperience. He had risen through a kindly disposition to a recognition of the political value of tact, and an unusual skill as a moderator of variant opinions. He believed that his function was to represent the popular will as rapidly as it expressed itself, differing fundamentally in this from Cleveland, who thought himself bound to act in the interest of the people as he saw it. His Cabinet reflected the interests that secured his election."¹

In McKinley's first message to Congress he commented on the fact that the United States was everywhere at peace. His rejoicing over this condition was short-lived, however, for his administration was soon in the throes of a foreign war, the first since the war with Mexico. The war was with Spain, the centuries-old enemy of the Anglo-Saxon race. The causes of the war centred round Cuba, the pearl of the Antilles, and a Spanish possession. American interest in Cuba was almost as old as the American Republic itself. The

¹ Paxson, *The New Nation*, pp. 251-252.

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islands of Cuba and Porto Rico, both rich in natural resources, had long been exploited by the mother country. Spain's only interest in them seemed to be directly related to the wealth she was able to extract from them. In Cuba particularly this selfish attitude was resented by a large number of the inhabitants, who hoped and longed for freedom from the Spanish yoke. Throughout the first half of the nineteenth century rebellions and disturbances were of continual occurrence, and in practically every one of these American sympathies were with the rebels.

In 1868 the so-called Ten Years War between the Cuban Liberals and Spain broke out. The revolution was put down with great barbarity and with scarcely any thought for the right or property of neutrals. It was during this period that the *Virginius* affair occurred. Although this difficulty was settled without recourse to war, it nevertheless roused the ire of the American people to a high pitch, and if war had resulted there is little doubt that the vast majority of the American people would have enthusiastically supported it. The American Government contented itself with making various protests to the Spanish Government on the grounds of humanity and foreign interests. The Madrid Government replied that it was willing to grant reforms, but could not do so as long as the island was in a state of rebellion. The Ten Years War subsided in 1878, largely as a result of the complete exhaustion of the rebels.

In 1895 the struggle was renewed. It was marked by ferocity and unspeakable cruelty on both sides. The natives carried out a guerrilla warfare on a grand scale, laying waste the country and indiscriminately destroying property, with the purpose of either compelling Spain to come to terms or of bringing about American intervention. The native warfare was met with a brutality that was scarcely equalled in the darkest days of medieval history. General Valeriano Weyler, the Spanish commander-in-chief, worked out a diabolical scheme of repression. He established concentration camps in the garrison towns and ordered the population to retire within them. He then destroyed their homes and cattle

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and any other property on which he could lay his hands. The distress and suffering in these concentration camps are almost indescribable. No sanitary precautions were provided, and insufficient clothing and food were supplied to the native Cubans. The result was that many Cubans died because of this inhuman and unnatural treatment.

American interests were vitally affected. Many Cubans who had taken out American citizenship papers were seized by the Spanish officials and thrown into prison. Some were released, others expelled from the island, and the rest were released from prison when General Weyler was recalled. His recall was largely a concession to the United States. Many filibustering expeditions were organized in the United States, and, despite the vigilant efforts of the American port officers, many of them escaped to Cuba. Although President Cleveland had a keen interest in the affairs of Cuba he refused to recognize her as a belligerent nation, notwithstanding that Congress passed a resolution in favour of recognition by an overwhelming majority (February–April 1896).

When McKinley became President the hopes of the interventionists were raised. He had been elected on a platform which promised to bring about Cuban independence through American action. Two events in the early months of 1898 precipitated action. On February 9 the *New York Journal* published a letter from the Spanish minister in Washington, Señor Enrique Dupuy de Lôme, to a friend in Havana. In it he referred to President McKinley as a "bidder for the admiration of the crowd" and "a would-be politician who tries to leave a door open behind him while keeping on good terms with the jingoes of his party." The letter was received with mingled feelings of rage and revenge by the American public, and de Lôme was recalled. On the 15th of the same month occurred a catastrophe that stirred the entire world. The United States battleship *Maine*, which had been at anchor in the harbour of Havana for three weeks, was blown up, with the loss of two officers and 258 men. A naval court of inquiry which was immediately organized reported that the vessel had been blown up as a result of external explosion.

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A Spanish court of inquiry reported that she had been blown up as a result of an internal explosion. It might be stated here that when the *Maine* was raised in 1911 the report of the American court was substantiated.

The American nation naturally supported the American opinion, and amid a burst of national enthusiasm and patriotism demanded immediate action, crystallizing their feelings in the slogan "Remember the *Maine*." The Government, even had it so desired, could not have withstood the popular demand for action. On April 11, 1898, President McKinley, in a message to Congress, called for forcible action. He cited the inhuman treatment of the Cubans by the Spaniards, the injury to American life and property, and the dangers to American peace of continual warfare so near the American borders. On April 19 Congress passed a resolution that Cuba ought to be independent, and gave the President power to use the armed forces of the nation to bring this about. Diplomatic relations were broken off on the following day, and on the 25th war was formally declared upon Spain.

The war which ensued was to be settled to a large degree on the sea. This was just as well for the United States, because its military establishment was totally unprepared for the conflict. Even the navy was whipped into shape at the last moment, when war seemed inevitable. This movement was largely due to the activities of Theodore Roosevelt, who at the time was Assistant Secretary of the Navy. The Navy Department rushed to completion many ships already on the ways, purchased vessels abroad, took over American merchantmen, held target practice and fleet manœuvres, and organized the effective units of the Navy into several squadrons for service in the Atlantic and Pacific. These frantic efforts to organize an efficient fighting force on the very eve of the war met with a fair degree of success.

As soon as de Lôme was recalled, Admiral Sampson, in charge of the naval force in the North Atlantic waters, was ordered to blockade the Cuban coast and keep an eye open for the Spanish fleet under Admiral Cervera which had left the Cape Verde Islands for an unknown destination on

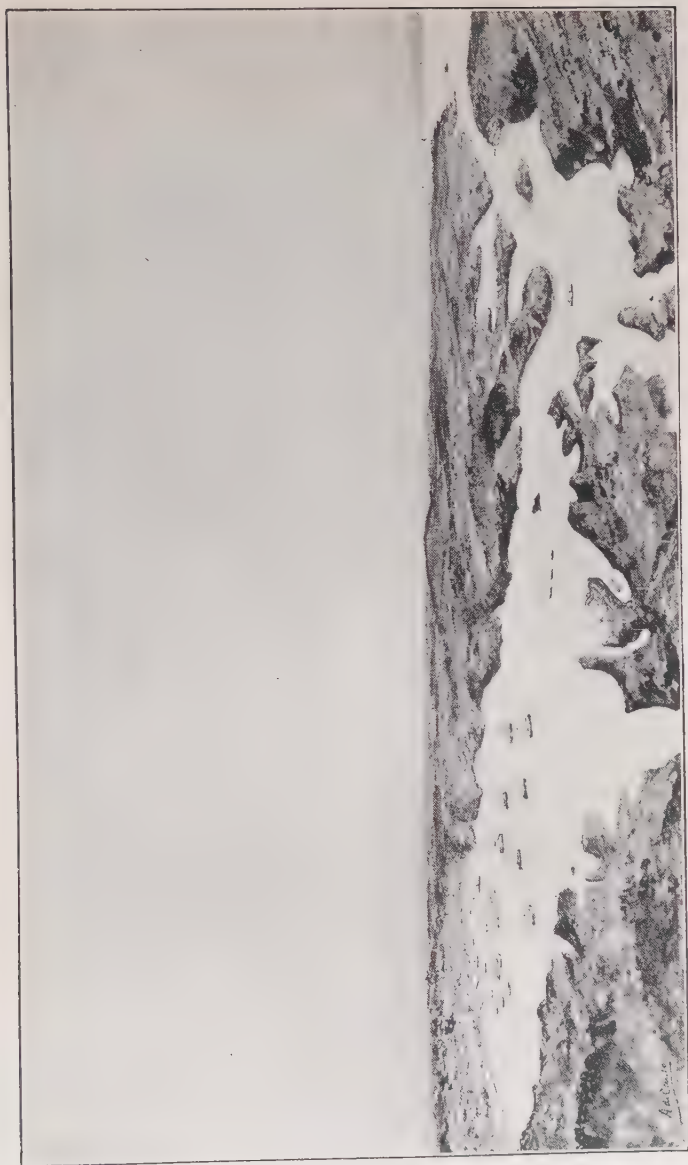
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April 29. While this fleet was crossing the Atlantic, and incidentally causing much speculation and alarm along the Atlantic seaboard, a great battle was fought in Manila Bay. Admiral Dewey, in command of the Asiatic squadron, had concentrated his forces at Hong-Kong. On April 24 he received the following message: "War has commenced between the United States and Spain. Proceed at once to Philippine Islands. Commence operations at once, particularly against Spanish fleet." During the night of April 30 the American fleet, consisting of four cruisers and two gunboats, steamed through the narrow channel into Manila Bay. He found the Spanish fleet drawn up in an irregular semicircle before the fortified position of Cavite. Dewey steamed past the fleet and land batteries several times, and they were soon reduced to a helpless mass of ruins. In this spectacular battle all the American ships escaped serious injury, and only seven men were wounded. The Spanish losses included the destruction of ten vessels and the killing or wounding of 381 men.

Dewey's position was very insecure, however, despite his overwhelming victory. His forces were far too few to occupy the city of Manila and its surroundings, and he cabled for additional land forces. In addition to this, he was in danger from another source. He had announced a blockade of Manila, and all the warships of foreign nations had acted in accordance with the international rules governing such a situation with the exception of Germany. Germany had five battleships in the harbour and insisted upon breaking the rules of blockade. Dewey became so exasperated that he finally sent a verbal message of protest to Admiral von Diedrichs. It was reported at the time that the message closed with the words "if he wants a fight, he can have it right now." Throughout the controversy the commander of the British forces, Captain Edward Chichester, maintained a most friendly attitude toward Dewey. On August 13, 1898, a combined movement by the fleet and land forces, operating under General Wesley Merritt, captured the city of Manila, the capital of the Philippine Islands.

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After Dewey's victory at Manila the eyes of the United States turned again to the Spanish fleet, which was supposedly speeding westward. Despite elaborate precautions to detect him, Cervera slipped into the harbour of Santiago, at the eastern end of Cuba, on May 19. As soon as his position was definitely determined Commodore W. S. Schley blockaded the harbour to prevent his escape. It was evident that before Cervera's fleet could be successfully attacked or the city of Santiago captured land forces would have to co-operate with the navy. 200,000 volunteers had been called for to supplement the army of 50,000 regulars. A regiment of volunteer cavalry known as the 'Rough Riders' had been recruited by Dr Leonard Wood, a colonel in the medical corps, and Theodore Roosevelt. The regular army, Rough Riders, and a few volunteers were stationed at Tampa, Fla., while the great majority of the volunteers were in training at Chickamauga Park, Georgia. 16,887 officers and men left Tampa on June 14, *en route* for Santiago, under the command of Major-General William R. Shafter. Eight days later the troops began to disembark at Daiquiri, sixteen miles east of Santiago. Meeting with comparatively slight resistance at Siboney, Las Guasimas, San Juan Hill, and El Coney, the Americans drove the Spaniards back on Santiago. These engagements were fought during the first three days in July, and the American soldiers suffered more from the heat and insufficient rationing than from actual warfare. With Santiago besieged from land and sea, the position of Cervera's fleet became serious. He took the only course open to him to prevent capture. This was a hasty dash seaward, in which he hoped to scatter and save as many of his ships as possible. On July 3 he led his fleet out of the harbour in single file and turned westward. One by one his vessels were sunk or driven ashore by the superior American gunnery. The Spanish fleet was completely destroyed. The loss in men was 323 killed and 151 wounded, as compared with one killed and one wounded in the American fleet. The destruction of the Spanish fleet left the city of Santiago entirely at the mercy of the Americans, and it surrendered to them on



HARBOUR AND TOWN OF SANTIAGO DE CUBA WHERE ADMIRAL CERVERA'S FLEET WAS SHUT UP

On the extreme right are seen Fort Morro and the channel where the *Merrimac* was sunk

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July 17. A campaign in Porto Rico was brought to a close by the suspension of hostilities (August 12, 1898).

Two bitter controversies arose from the management of the war. One was over the management of the War Department, which, in the minds of many, was handled very inefficiently. Undoubtedly this was true. Arrangements made for the care of the troops were utterly inadequate. Sanitary conditions at home and in the war area were very bad. The transport service was poor, and the commissary service was entirely lacking in efficiency. The men fought in Cuba clad in heavy winter clothing and were supplied with a very low grade of food. Many men died as the result of the unpreparedness of the War Department. Even in the instruments of warfare, such as powder and guns, the enemy was far superior. McKinley feared to remove Secretary of War Alger because it might reflect on the administration, but when he aspired to a senatorship from Michigan the President requested his resignation. He was succeeded by Elihu Root.

The other controversy was waged over the question of who was in command at the battle of Santiago, Sampson or Schley. A court of inquiry was held, and the results were unsatisfactory to both parties.

By July 1898 both the United States and Europe recognized the futility of further resistance on the part of Spain. Spain herself recognized that she was defeated, and consequently requested the French ambassador at Washington to open negotiations (July 18).

The preliminary protocol was signed on August 12, and provided that the peace commission should meet at Paris on October 1. During the intervening months the question of imperialism was uppermost in the minds of most Americans. Had the United States power to annex territories, and if so would it be wise to exercise it? The United States had had no experience in administering the affairs of people who were different in race, language, and religion. Was it worth while to assume this admittedly heavy burden? With these questions before the country the peace conference met in

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Paris on the appointed date. The chief points of difference arose over the Spanish debt for the pacification of Cuba and the future of the Philippines. Spain demanded that either the United States or Cuba assume her debt, but upon the firm refusal of the American commissioners she was forced to give up all claim to Cuba and to assume the debt. The future of the Philippine Islands presented a much more weighty problem. The United States was desirous of possessing them, but could not produce a very clear claim, since Manila was captured the day after the peace protocol was signed, although Admiral Dewey was unaware of this fact. In order to wipe out this evident defect in the claim the American commissioners agreed to pay \$20,000,000 for the archipelago. The treaty was signed on December 10, 1898, and, besides containing the clauses relating to Cuba and the Philippines, it provided that the United States should receive Porto Rico and Guam, that the status of the inhabitants of the ceded territories was to be determined by Congress, and freedom of religion was to be granted to them. In the United States Senate the treaty was bitterly attacked by the anti-imperialists, who were opposed to the United States taking over the former Spanish possessions. When finally ratified it had but one vote more than the necessary two-thirds majority.

THE ELECTION OF 1900

Undoubtedly the Spanish-American War strengthened the position of the Republican party with the masses. The war was thoroughly popular among the people, and, coupled with the business prosperity that prevailed throughout the four years of Republican rule, tended to make the years of industrial and financial depression from 1892-96 seem worse than they really had been. It is a usual habit with the American public to blame the party in power for existing hard times, and likewise to give it credit for existing prosperous times. Psychologically, therefore, the Republicans were expected to gain an easy victory in 1900. Their association with the industrial and financial interests had been further cemented

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by the adoption of the gold standard in 1900, and the consequent abolition of the fear of 'cheap money.'

McKinley was renominated unanimously on the first ballot at the convention which met in Chicago in June 1900. The question of the selection of a Vice-Presidential candidate aroused an unusual amount of interest. The most popular candidate was Theodore Roosevelt, the governor of New York, a military hero and a champion of reform in politics. The Republican 'boss' of New York state was desirous of getting rid of Roosevelt, so he backed his nomination for the Presidency with the hopes that he would be 'shelved' into a position of relatively minor importance. Roosevelt himself, McKinley, and Mark Hanna were opposed to this procedure, but despite their objection Roosevelt was nominated. The Republican platform was very vague, mentioning the prosperity of the country, the good results of the Dingley tariff (see above, p. 467), the danger of a return of the Democrats to power, and a very non-committal anti-trust plank. It further stated that the Spanish-American War with its territorial results had been thrust upon the United States, and that no other course than that followed was possible.

The Democratic convention met in Kansas City, Missouri, on July 4. In its platform it stated that there were three issues of vital importance before the American people. The first and most important of these was imperialism. Territorial expansion was strongly condemned. "We declare again that all governments instituted among men derive their just powers from the consent of the governed; that any government not based on the consent of the governed is a tyranny; and that to impose upon any people a government of force is to substitute the methods of imperialism for those of a republic." The other two important planks were attacks on the trusts and the Dingley tariff, "a trust-breeding" measure. Bryan was again the candidate of the Democratic party.

The campaign, which was comparatively quiet, resulted in the election of McKinley by a popular majority of more than 860,000 and an electoral vote of 292 to 155.

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IMPERIALISM

While the campaign and election of 1900 was being fought on the issue of expansion, American control was rapidly spreading in Cuba, Porto Rico, and the Philippines. The sovereignty of the island of Cuba passed into the hands of the United States on January 1, 1899. The administration of the island was put in charge of American military governors, General Brooke at first, and then General Wood. In a period of less than two years a remarkable transformation had taken place in Cuba. American engineers had attacked the problem of sanitation in the islands with a vigour and energy foreign to the Cuban. Sewers were opened, streets cleaned, houses scrubbed and disinfected, and huge piles of garbage and waste material removed and destroyed. Provision was made for the continuance of the sanitation work after the withdrawal of the Americans. Education was next looked after, and in a short time modern school-houses, fully equipped and supplied with able teachers, dotted the island. The greatest problem facing the new masters of the island was the establishment of a government. Under a restricted suffrage, municipal elections were held in June 1900, and a few months later elections were held to select delegates for a national convention, which was to draw up a constitution. This convention met on November 5, 1900, and adopted a constitution strikingly similar to that of the United States. As no provision was contained in it regarding future relations with the United States, the Senate drafted the so-called Platt Amendment. This provided that the American army should be withdrawn from Cuba when the constitution of the latter set forth that (1) no foreign nation should ever impair its independence in any way ; (2) no debt should ever be contracted which could not be met out of the ordinary revenues ; (3) the United States could intervene to preserve independence and order ; and (4) Cuba should sell or lease coaling-stations to the United States. The Cuba convention promptly accepted this amendment, and as a result the government of the islands was turned over to the natives on May 20, 1902. The early Cuban

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Government had a hard struggle against the lawless elements of the island. This group resisted the attempts on the part of President Palma to enforce the law, and when he stood for re-election in 1906 it took up arms against him. President Roosevelt, under the provisions of the Platt Amendment, sent a military governor to the island to restore order and set up a stable government. The occupation lasted until 1909, when the island was again returned to the Cubans.

The problem in Porto Rico was far simpler than that in Cuba. A majority of the people were white, they welcomed American rule, and they had not been harassed by years of warfare. The hearty co-operation of the islanders assured the early success of the American plans for educational and sanitary improvements. On April 12, 1900, the military government of the island was withdrawn and was superseded by a civil government provided for in the Foraker Act. This Act empowered the President to appoint the governor and the upper house of legislature. The governor and Congress had the veto-power over the Acts of the legislature. An Act of March 2, 1917, gave the Porto Ricans the right to elect both houses of the legislature, and made them citizens of the United States.

The situation in the Philippines was most complex of all. For some years before the war the natives, under the leadership of Aquinaldo, had been in revolt against the Spanish rule, which was largely in the hands of the clericals. By bribery and trickery the Spanish authorities had induced them to abandon their resistance. Admiral Dewey brought Aquinaldo from Singapore to Manila, and he soon established a government outside the city. When the Americans finally captured the city, however, they failed to take any notice of Aquinaldo or his government. The result was a general uprising against the United States, which took two years to quell. President McKinley determined to withdraw the military government as soon as feasible. His first step was to send out a Philippine commission (1899), which was to investigate the conditions in the island and to report on the best practical method of solving them. The chief item of

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their report was that the Filipinos were not yet ready for self-government. Accordingly, a second commission was sent out under the leadership of Judge William H. Taft (1900). Under his wise and able leadership the inhabitants of the islands were rapidly granted local self-government. Congress finally passed the Philippines Act on July 1, 1902. This provided for a government similar to that first established in Porto Rico. In 1916 the Filipinos were granted a larger measure of self-government and were permitted to elect the upper branch of the legislature. The American Government carried out far-reaching improvements in sanitation, education, and roads. A complete system of elementary, secondary, and higher education was established, and the natives were eager to take advantage of their opportunity. A ten-year fight was waged to break down the tariff wall between the United States and the islands, and it was not until 1913 that it was completely successful.

The acquisition of Porto Rico and the Philippine Islands brought some knotty legal problems before the Supreme Court. The questions involved are best summed up in the phrase, Did the Constitution follow the flag? That is, Were the inhabitants of the new possessions granted all the privileges and immunities of citizens of the United States under the Federal Constitution? Cases arising under this heading are usually referred to as the 'Insular Cases.' The Supreme Court decided that the Constitution did not follow the flag and that Congress had the supreme power to legislate for the new possessions.

The acquisition of the Philippines gave the United States a vital interest in the affairs of the East. At this time China was in the throes of an international upheaval which was ultimately to involve the United States as well. When China was easily defeated by Japan in a short and decisive war in 1895 the commercial countries of Europe seized upon her disclosed weakness and secured spheres of influence within her borders. Germany, Russia, Great Britain, France, and Japan all succeeded in inducing or compelling China to lease desirable portions of her territory for a long period of years.

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John Hay, the able and efficient diplomat, who was McKinley's Secretary of State, realizing that the United States was being practically shut off from commercial relations with China, addressed an identical note to the European Powers asking them to state that they would not interfere with any treaty port, that the Chinese tariff should apply equally to all goods shipped into ports in the spheres of influence and that the customs duties should be collected by Chinese officials, and that the European countries would not charge higher railroad rates to other countries than they did to their own. All the foreign countries agreed to this 'open door' policy.

While the foreign countries were getting a strong economic foothold in China, the internal conditions of the country itself were in a very bad state. The Empress Dowager, a thoroughgoing conservative, seized the throne from the Emperor, who was attempting to bring about some reforms. The change in government was a signal for an outbreak against all foreigners under the leadership of the Boxers, an ultra-patriotic society. The most serious disturbance was in Peking (1900), where the foreigners were forced to take refuge in the British legation under most trying circumstances. After a siege of almost two months they were finally rescued by a combined relief force. China was compelled to pay a heavy indemnity to the allied Powers, as well as to improve her commercial relations with outside countries.

In the midst of the problems created by the acquisition of Porto Rico and the Philippines, with their concomitant broadening of the scope of American diplomacy, President McKinley was struck down by a bullet of a fanatical assassin while he was attending the Pan-American Exposition in Buffalo on September 6, 1901. On September 14 he died, and was succeeded by Vice-President Roosevelt, the man whom the 'bosses' of the Republican party thought they had 'shelved' in 1900.

CHAPTER VI

ROOSEVELT AND HIS POLICIES

WHEN Theodore Roosevelt took the oath of office in Buffalo he stated that he would continue the policies of McKinley, and as an indication of his determination to do so he insisted that all the Cabinet members should retain their positions. Roosevelt was the youngest man to attain the office of President, being a month less than forty-three years old ; nevertheless, few American Presidents, if any, have been better fitted for the position. Born in New York City of old ' Knickerbocker ' stock, he was compelled as a youth to combat a delicate physique. By dint of systematic and strenuous exercise he was able to overcome his physical weakness and develop into a sound, healthy man. After graduating from Harvard he entered the field of New York politics and was elected to the state legislature, where he manfully struggled for political and economic reforms. Later he was a member of the National Civil Service Commission, police commissioner in New York City, Assistant Secretary of the Navy, a lieutenant-colonel in the Spanish-American War, governor of New York, and Vice-President of the United States. Besides being active in public life, he was an eminent historian, naturalist, hunter, and rancher. In temperament he was strikingly similar to Andrew Jackson, energetic, aggressive, frank, a born leader, with power to gain and hold popular approval. He was sincere, dramatic, quick to sense public opinion, and had an almost superhuman capacity for work. Highly educated and cultured, he was, nevertheless, thoroughly at ease with all classes of society, the educator, the politician, the breezy Westerner, the aristocrat, and the labourer. Roosevelt was that rare combination,

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an idealist and a man able to accomplish thoroughgoing reforms.

One test of the greatness of a man is his ability to select subordinates. Roosevelt possessed this to a high degree, and although he made some glaring mistakes he chose capable, honest, and efficient men to help him in the government. He received a considerable amount of hostile criticism from the South because he entertained Booker T. Washington, an eminent negro educator, at dinner, and because he appointed some negroes to Federal positions. Roosevelt defended his position on the ground that race or colour should not close the door of opportunity to any person. Without considering the objection that such action would injure the party, the new President investigated and prosecuted to the fullest extent of the law several corrupt 'rings' in the post-office, public lands, and other departments.

ROOSEVELT AND THE TRUST PROBLEM

Without doubt the greatest problem facing the new President was that of the trusts. In an earlier chapter the development, organization, and methods of trusts were fully discussed. The passing of the Sherman Anti-Trust Act in 1890 had failed to injure the trusts to any visible extent. The tendency toward consolidation was somewhat checked by the financial and industrial depression prevalent during Cleveland's administration, but with the return of prosperity after 1896 the formation of huge combinations proceeded with amazing rapidity. It has been estimated that in 1903 the capital stock of all trusts amounted to more than seven billion dollars. The revival of monopolistic organizations was accompanied by all the evils attending the early beginnings of trusts. Over-capitalization, stock-manipulation, unfair competition, rebates, and price-fixing flourished in ever-increasing strength. In 1901 the United States Steel Corporation was organized. It comprised eleven companies, the chief of which was the Carnegie concern. As each of these major companies controlled innumerable subsidiaries, the new trust or corporation was able to control almost three-quarters of the

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steel output of America. All the stock of the various companies was called in, and the corporation issued \$1,404,000,000 in securities. The common stock was 'water,' but was soon paying dividends—at the expense of the people, of course. The growth of consolidation soon developed into a combination of different businesses in the hands of a few powerful groups. For example, John D. Rockefeller, the oil magnate, gained control of huge copper, gas, and banking interests, besides many others of a minor nature. J. P. Morgan and other plutocrats of lesser magnitude followed the example set by Rockefeller. Before long the Rockefeller and Morgan groups undoubtedly controlled and dominated the business and commercial life of the nation.

The American public in general looked upon this huge octopus with distrust and concern. They felt to a large degree that the much-vaunted ideal of opportunity for all was a mirage and was entirely controlled by the financial interests. Many of them felt that the trusts were an unnatural development due to the tariff or some other artificial advantage. The demand for control of the trusts had been met by the Sherman Anti-Trust Act of 1890. As was explained above, this did little more than establish the principle that trusts could be controlled. During McKinley's first administration no attempt was made to bring any of the trusts before the bar of justice. Undoubtedly the chief reason for this was the peculiar control Hanna had over the policies of the Government. He was a strong and persistent advocate of the policy of *laissez-faire*. The re-election of McKinley in 1900 was interpreted by the magnates and trusts as meaning that they were to have an absolutely free hand in the conduct of their business, unhampered by Government interference, supervision, or regulation.

Such was the situation when Vice-President Roosevelt was elevated to the Presidency. There was uncertainty as to his policy. The fact that he and Hanna were not friendly was considered as a good omen by the enemies of 'big business,' but this was offset to some extent by his statement that he would continue the policies of McKinley. In his first address

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to Congress he intimated that he believed something should be done to regulate 'big business.' He believed that trusts were a natural development, but that the public had an interest in them and that they must be regulated in accordance with that interest. He made a clear distinction between legitimate business done on a big scale and monopolistic enterprises. Inasmuch as it was impossible for the individual state to control the situation, he demanded Federal action. He urged upon Congress the necessity for legislation aimed at the abolition of rebates, over-capitalization, stock-manipulation, and other abuses. Congress paid no attention whatever to this part of the President's message. He thereupon determined to go directly to the people. He consequently made a tour of the Middle West and New England, and in several speeches he set forth his opinions on trust-regulation.

He had already started to put his views into operation. In March 1902 he told his Attorney, General Philander C. Knox, to start action against the Northern Securities Company under the Sherman Act. This was a holding company organized to consolidate the Great Northern, Northern Pacific, and Burlington railways. These roads were all competitors, and if combined could throttle competition. The Federal Government was successful in its suit, and the company was compelled to dissolve. Roosevelt attained equal success in the great coal strike of 1902. The anthracite mines of Western Pennsylvania had been gradually brought under the control of a single group of capitalists. This same group also controlled the railroads which carried the coal from the mines to the seaboard. Its control was practically absolute, and as a result it charged monopolistic rates and treated its employees in the worst possible manner. They had to buy from company stores, live in company houses, and employ company physicians. These activities of the company were run as a source of profit rather than as comforts and conveniences for its employees. So great were the abuses that the miners struck in May 1902, demanding shorter hours, higher wages, recognition of the united mine-workers of America, and better living conditions. The strikers numbered about 150,000 men

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and carried out their strike in such an orderly fashion that public opinion was almost unanimously on their side.

The strike lasted throughout the summer and autumn, and, with the prospects of a coalless winter facing it, the public demanded that something be done. Every one turned to President Roosevelt. He called a meeting of representatives of both sides to Washington and asked them to settle their differences. Labour was willing to arbitrate, but the mine-owners refused to do anything at all. Thereupon Roosevelt planned to appoint an investigating committee, and to send the army to the coal-fields to run the mines as a receiver until the report of the commission was ready. Before he was compelled to put this scheme into operation, however, the mine-owners, actuated by a hostile public opinion and perhaps fear of what might happen, offered in October to arbitrate. The miners went back to work, and when the arbitration commission finally reported (March 1903) most of the miners' contentions were granted.

Roosevelt's policy of 'trust-busting,' as it was popularly called, was applauded by the multitude and condemned by the magnates. The latter attempted by various methods, notably through the Press, to undermine the President's popularity. He was continually referred to as a revolutionist, an anarchist, and a dangerous man, but all to no avail. If anything, his popularity increased as a result of these insidious attacks. His firm attitude toward big business had a far-reaching effect on speculation and consolidation. The public refused to be cajoled into buying 'watered' stock, and the capitalists practically ceased combining for fear of action on the part of the Federal Government. In 1903 the President brought about the establishment of the Department of Commerce and Labor, which had a bureau of corporations, the duty of which was to collect and tabulate information about corporations doing an interstate or foreign business. The Elkins Act was passed in the same year. This forbade the granting of rebates by railroads. It was not drastic enough for the President, and he determined to work for more suitable legislation.

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FOREIGN AFFAIRS

The unfriendly attitude of Germany toward the United States was further evidenced in a dispute which arose over the collection of foreign debts in Venezuela. That unfortunate country at the beginning of the nineteenth century was under the control of an unscrupulous dictator named Castro. He had failed to pay obligations to the citizens of many foreign countries, and they had appealed to their home Governments for relief. The form the relief took was a ' pacific blockade ' of the Venezuelan coast (December 1901). Germany was the leader in the movement, and she was backed up in a half-hearted way by Italy and Great Britain. The American Secretary of State, John Hay, one of the ablest statesmen the United States has produced, suggested that the matter be arbitrated. Italy and Great Britain were willing, but Germany absolutely refused. The next step was the establishment of a formal blockade (December 1902). Roosevelt determined to take definite action. His course was largely influenced by the knowledge that Great Britain was not desirous of going to war to enforce the collection of the debts. Roosevelt had the entire American navy (which was stronger than that of Germany) mobilized in West Indian waters under orders to be ready to move at a moment's notice. He then told the German ambassador at Washington that the dispute must be arbitrated, and that if this was not done within a certain time Admiral Dewey would be ordered to the Venezuelan coast to prevent the Germans from taking any action. The German ambassador stoutly maintained that the Kaiser would not arbitrate. Twenty-four hours before the ultimatum expired, however, the German Government announced that it would accept arbitration. The result was that the dispute was submitted to the Hague Tribunal and peacefully settled. Roosevelt and Hay maintained throughout the controversy that they were not seeking to encourage South American republics to resist paying their just debts, but that they were aiming to prevent foreign Powers from using such disputes as a means of gaining a foothold in the Western Hemisphere.

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In 1904-5 a similar situation arose in connexion with the republic of Santo Domingo. This unfortunate revolution-torn republic had failed to pay the interest due on its foreign debt. Three countries, France, Belgium, and Italy, announced that they intended to occupy some of the ports in order to collect the customs, which were to be used to meet the obligations due to citizens of the three countries. Santo Domingo appealed to the United States for protection against foreign invasion. In this situation President Roosevelt devised a new interpretation of the Monroe Doctrine, the essence of which was that if the United States was to prevent countries from being punished for not performing their duties, it must therefore compel them to perform those duties. He stated in a message to Congress: "Chronic wrongdoing, or an impotence which results in a general loosening of the ties of civilized society, may in America, as elsewhere, ultimately require intervention by some civilized nation, and in the Western Hemisphere the adherence of the United States to the Monroe Doctrine may force the United States, however reluctantly, in flagrant cases of such wrongdoing or impotence, to the exercise of an international police power." In accordance with this new interpretation of the Monroe Doctrine the United States took over the custom-houses of Santo Domingo, collected the revenue, paid off the foreign creditors, and put the finances of the country on a firm basis. The establishment of this international police power has necessitated the intervention of American armed forces on several subsequent occasions to preserve order.

During this period of Pan-American activity the relations between the United States and Great Britain were very friendly. The Alaskan boundary was a subject of discussion between them, but was settled by a commission of six, three Americans and three British. As a further sign of the goodwill existing between the two countries, the Hay-Pauncefote Treaty of November 18, 1901, may be cited. This superseded the Clayton-Bulwer Treaty (see *supra*) and provided that the United States had absolute discretion concerning the construction of a canal between the Atlantic and the Pacific.

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The only restriction was that the canal must be open to the vessels of all nations on an equal basis.

This treaty came at the time when the discussion of an interoceanic canal was at its height. The completion of the great Suez Canal in 1869 had renewed interest in the American project. In 1872 Congress had appointed a commission to study the various routes. About the same time a gigantic company was formed under the leadership of de Lesseps, the successful builder of the Suez Canal. This idea of a canal built under French auspices was not very popular in the United States, but de Lesseps had the consent of the Colombian Government to undertake the work. The route chosen was that across Panama, and the work was started in 1881. From the start it was doomed to failure. The funds were badly managed, labour was hard to get, disease was prevalent, and the natural obstacles were practically insurmountable. In 1889 the company broke up entirely, with a relatively small amount of the work completed. In the same year Congress chartered an all-American organization, known as the Maritime Canal Company, to construct a canal through Nicaragua. This company failed through lack of funds.

The Spanish-American War renewed the attention of the United States to the necessity of a canal. The battleship *Oregon* had made a spectacular trip from the Pacific to the Atlantic by way of the Straits of Magellan. This cruise would have been more than cut in half had the ship been able to use a canal at Panama. The chief obstacle in the way of building a canal was the Clayton-Bulwer Treaty. When this was superseded by the Hay-Pauncefote Treaty the way was clear for American action. An interoceanic commission was appointed, and Congress became interested in the movement. It passed a resolution empowering President Roosevelt to purchase the rights of the New Panama Canal Company (the successor of the de Lesseps company) and to acquire a strip of land across Panama for the purpose of building a canal, but if he were unable to do this he was to turn to the Nicaraguan route. This route was favoured by a majority of the House of Representatives.

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The interest of the New Panama Canal Company was purchased for \$40,000,000, and President Roosevelt and Secretary of State Hay began negotiations with Colombia for the strip of land across Panama. The result was the Hay-Herran Treaty, which provided that the United States should pay Colombia \$10,000,000 for permission to purchase the canal company's rights, and for a perpetual lease of a six-mile strip across the isthmus. After nine years Colombia was to receive an annual sum of \$250,000. Although the American Senate ratified the treaty almost immediately, the Colombian Senate refused to do so. Undoubtedly the latter body desired to force a better bargain with the American Government.

The rejection of the treaty by the Colombian Senate was received with dismay by the inhabitants of the province of Panama and by the officials of the canal company. Accordingly they planned a revolt against the Colombian Government in order to establish an independent Government which would then negotiate with the United States. Agents of the people and the company appeared in Washington to learn what attitude the American Government would assume. Although direct proof is lacking, the probabilities are that they were informed that the United States Government would not interfere with their activities, but would further them. Later events seem to bear out this position; American warships were dispatched to Panaman waters "to be ready to act in the event of the need arising." That the American State Department was fully cognizant of the revolution is proved by the fact that it telegraphed to find out how the revolution was progressing before the revolution had actually broken out. The revolution occurred on November 3, 1903, and was carried out without bloodshed. Colombia was practically prevented from attempting to crush the revolt by an order to the American naval officers which authorized them to keep the railroad open and to "prevent the landing of any armed force with hostile intent, either Government or insurgent, at either Colon, Porto Bello, or other point." Three days later the new republic was recognized by cable, and a week later Phillipe Bunau-522

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Varilla, the chief engineer of the construction company, was recognized as the minister from the newly established republic. Fifteen days later (November 18) the Hay-Bunau-Varilla Treaty was signed. This provided for the perpetual lease of a strip of land ten miles wide across the isthmus. The United States agreed to pay \$10,000,000 for it and an annuity of \$250,000 after nine years. The treaty was ratified by the Senate on February 3, 1904, despite severe criticisms of it.

The whole affair had a rather unsavoury flavour. The nation was divided into two distinct groups, one of which condemned the administration's action while the other applauded it. The former maintained that Roosevelt had deliberately taken advantage of the weakness of a sister republic and had despoiled her. The rapidity with which recognition followed revolution was pointed out as clear evidence that the American Government had had a hand in the preparation of the overthrow. Roosevelt stoutly denied that he had anything to do with the revolt, and justified it on the grounds of Colombia's greed and inability to preserve order. He said further that the action of the American Government was justified "by our national interests, and by the interests of civilization at large." Later, public opinion seemed to turn against Roosevelt and condemn his act as one of international indecency and immorality. As an evidence of this condemnation it is only necessary to state that on July 29, 1919, the Foreign Relations Committee of the Senate voted unanimously that a money indemnity of \$25,000,000 be paid to Colombia. Although no action was taken upon it then, a similar measure was adopted by the Senate in April 1921.

After the diplomats had finished their work the engineers and sanitary experts started on the problem of the actual construction of the canal. Under the leadership of Colonel William C. Gorgas the sanitary conditions of the canal zone were put in first-class order. As in Cuba, he cleaned up the filth and wiped out the dreaded disease-bearing mosquito. Against the advice of a board of engineers, Roosevelt determined to build a lock canal. In February 1907 he placed the

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work in charge of Lieutenant-Colonel George W. Goethals and gave him full powers to go ahead with it. The latter was ably assisted by Majors W. L. Sibert and David Du B. Gaillard. The building of the canal was probably the greatest engineering feat ever accomplished. Almost insurmountable difficulties were ultimately successfully solved under the competent direction of the Army engineers. On May 19, 1914, the first commercial vessel passed through the canal. In 1915 it was formally opened in connexion with the exhibition at San Francisco and San Diego. Its importance can hardly be realized as yet, inasmuch as shortly after its opening the great European war broke out and almost paralysed commerce. When conditions become normal again it is confidently expected that the 'big ditch' will be well worth the \$350,000,000 the American Government spent on it. In 1912 Congress passed a Bill exempting American coastwise vessels from the payment of tolls for passing through the canal. The British Government protested against this on the ground that it was a violation of the Hay-Pauncefote Treaty. President Wilson, in 1913, told Congress that he believed this protest was justifiable, and succeeded in getting Congress to repeal the Act.

Shortly after the revolt in Panama the Presidential campaign of 1904 began to get under way. President Roosevelt was very desirous of getting the nomination for himself, on the ground that during his term in office as the successor to McKinley he had shown that he possessed all the qualifications for the position. His desire was backed up by a vast majority of the members of his party. Some of the leaders and almost all the financial interests of the country were opposed to his renomination, however, because they thought he was 'unsafe,'—that is, hostile to their welfare. Roosevelt's opponents desired to nominate Senator Hanna, believing him to be more in harmony with their theories of *laissez-faire* than the President. Hanna died in February 1904, and thus left the field entirely in Roosevelt's hands, inasmuch as there was no other man in the Republican party who could wrest the nomination from him. Consequently, when the convention met in June



PANAMA CANAL: THE CULEBRA CUT



MAP OF THE REPUBLIC OF PANAMA
Showing the canal zone and surrounding country
By permission of Silver, Burdett & Co.

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1904 he was nominated by acclamation. Senator Fairbanks of Indiana was selected for the Vice-Presidency.

The Democratic convention, which met in St Louis in July, was divided into two factions, the Radicals and the Conservatives. The latter group was in power and succeeded in nominating Judge Alton B. Parker of New York on the first ballot. Ex-Senator Davis of West Virginia was selected as his 'running mate.' Bryan wielded very little influence at the convention. Doubtless his two previous defeats had weakened his hold on the party. He supported the national 'ticket' in a very formal manner, largely because he opposed Parker's stand in favour of the gold standard and because he felt that the anti-trust plank of the platform would receive little attention if Parker were elected. Many of Bryan's followers determined to 'bolt the ticket,' because they felt that Roosevelt was far more representative of their ideals and ideas than Parker.

The campaign was fought round Roosevelt's personality. The Democrats sought to show him up as a dictator and a menace to the Constitution and to personal liberty. This failed to appeal to the voters, many of whom believed that if Roosevelt did exceed his authority he did it in their interest. They felt similarly about all the acts of the administration. When the vote was finally counted it was discovered that Roosevelt and the administration had been overwhelmingly endorsed by the electorate. The electoral vote was 336 to 140 in favour of Roosevelt, and the popular vote was 7,628,834 to 5,085,491. A significant feature of the election was the increase in the Socialist vote, which jumped from 94,768 in 1900 to 402,460 in 1904. One of Roosevelt's first public statements after his election was to the effect that he considered himself elected for a second term and that "under no circumstances will I be a candidate for or accept another nomination." Various investigations after the election showed that 'big business' had contributed huge funds to the war-chests of each party. This led to the passage of an Act in 1907 which forbade corporations to contribute to campaign funds to be used in Federal elections.

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ROOSEVELT'S SECOND ADMINISTRATION

Roosevelt's conception of the powers and duties of a President are exceedingly interesting and worthy of comment. He summed them up in his *Autobiography* when he stated: "The course I followed, of regarding the executive as subject only to the people, and, under the Constitution, bound to serve the people affirmatively in cases where the Constitution does not explicitly forbid him to render the service, was substantially the course followed by both Andrew Jackson and Abraham Lincoln. Other honorable and well-meaning Presidents, such as James Buchanan, took the opposite and, as it seems to me,^c narrowly legalistic view that the President is the servant of Congress rather than of the people, and can do nothing, no matter how necessary it be to act, unless the Constitution explicitly commands the action. Most lawyers who are past middle age take this view, and so do large numbers of well-meaning respectable citizens. There are many worthy people who reprobate the Buchanan method as a matter of history, but who in actual life reprobate still more strongly the Jackson-Lincoln method when it is put into practice. These persons conscientiously believe that the President should solve every doubt in favor of inaction as against action, and he should construe strictly and narrowly the constitutional grant of powers both to the National Government and to the President within the National Government. In addition, however, to the men who conscientiously believe in this course from high, although as I hold misguided, motives, there are many men who affect to believe in it merely because it enables them to attack and to try to hamper, for partisan or personal reasons, an executive whom they dislike."

The people in general were heartily in favour of President Roosevelt's conception of the Presidency. There has been a steady development in the minds of the American people toward the policy of placing the control of the Government in the hands of one person and then holding him responsible for the acts of that Government. The legislative bodies have become so large that it is almost impossible to hold them

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strictly accountable for the affairs of the nation. A President who acts as the leader of Congress is invariably considered a strong and able executive, while one who is subservient to Congress usually loses the respect of the public. Roosevelt carried out his fearless aggressive policy in international affairs, although he clothed his diplomacy in a smooth, soft language that did much to modify the directness of his demands. He was particularly fortunate in having associated with him two of the ablest Secretaries of State the United States has ever had, John Hay and his successor, Elihu Root. Under their efficient handling of the affairs of state the United States gained a far more important position in the family of nations than she had hitherto enjoyed. The rights of American citizens abroad were protected much more zealously than in the past, and foreign nations were compelled to respect American demands and wishes with a greater degree of alacrity than ever before. A good illustration of this was an affair with Morocco in 1904. An American citizen, Perdicaris, had been kidnapped and held for ransom by a Moroccan bandit, Raizuli. Hay informed Morocco that "We want Perdicaris alive or Raizuli dead." The desired result was achieved two days later, when Perdicaris was liberated. Roosevelt, although essentially a believer in peace, thought that the best way to attain it was through a "steady preparedness" to fight if the occasion arose. Consequently he urged a yearly addition to the Navy as the one means of gaining and holding a strong position in world affairs. His attitude toward preparedness brought forth much criticism, his opponents hailing him as a militarist who was spoiling for war.

His public acts, however, decisively refuted this unjust charge. He and his Secretary of State negotiated several limited arbitration treaties with many countries. His enemies in the Senate, fearful of a loss of their part in the treaty-making power, refused to ratify them. Roosevelt was the prime mover in the calling of the second Hague Peace Conference, although the Tsar of Russia actually called the meeting. Roosevelt further advanced the cause of international peace by bringing to a close the Russo-Japanese

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War. On June 8, 1905, he appealed to the Russian and Japanese rulers to open direct negotiations with each other. The result of this appeal was the holding of a peace conference at Portsmouth, New Hampshire. The conference lasted from August 8 until September 5, when a definitive treaty was finally drawn up. The entire world applauded President Roosevelt for his efforts on behalf of peace, and he was awarded the Nobel Peace Prize as a recognition of the part he had taken in the settlement.

The Japanese were not entirely satisfied with the provisions of the Treaty of Portsmouth, and the commissioners went home in a rather resentful mood, although the sympathies of the Americans were undoubtedly with the Japanese throughout the war. Shortly after the war the American attitude toward the Orientals changed, and a decided race prejudice sprang up throughout the country, particularly in the Western states. This prejudice was largely occasioned by the great increase in immigration in the last half of the first decade of the twentieth century. The new immigrants brought with them a much lower standard of living than that to which the native Americans were accustomed. This naturally produced an economic rivalry. Japan's victory over Russia had given to her citizens a certain pride and feeling of self-importance which were very sensitive to affront. Anti-Japanese agitation had reached such a high pitch in California that the state and municipalities adopted a resolution segregating Japanese and other Mongolians in separate schools. Japan protested to the United States Government, which was powerless to act, because under the American Federal system of government the conduct of educational matters is exclusively in the hands of the states. The entire affair was given a wide publicity in the sensational 'yellow' journals, which accused Japan of conspiring to bring about the downfall of the American Republic. Although President Roosevelt was unable to take action officially, he interested himself in the controversy and succeeded in smoothing over the difficulty for the time being. He made a 'gentlemen's agreement' with the Japanese Government, by the terms of which Japan promised not to

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give passports to the United States to any more of her labouring class. The Washington Government also ordered that no further Japanese should be permitted to come into continental United States from any of its possessions. Despite this temporary settlement, anti-Japanese agitation continued without abatement; it involves a big problem which has yet to be solved.

With characteristic aggressiveness, Roosevelt determined to send the entire American fleet to Pacific waters to show the world that the United States was prepared to defend its paramount interests in the Pacific. The result was a triumphal tour down the east coast of South America and up the west coast, thence to Hawaii, Australia, Japan, etc., through the Suez Canal and the Straits of Gibraltar, and back again to the United States. The showing of the 'big stick' enhanced the prestige of the American Navy and probably served the purpose that President Roosevelt desired.

Roosevelt's second administration was marked by a popular upheaval against 'big business.' Investigation followed investigation, and the Press and publishers in general were kept busy printing the various assortment of attacks on politics and business. These exposures of existing conditions are commonly referred to as 'muck-raking.' Paxon sums the situation up in his *New Nation* in the following paragraphs:

"Before Roosevelt was inaugurated for his second term, the national 'revival,' in which he and Bryan and other preachers of civic virtue had played the speaking parts, was sweeping over the country. The menace of the trusts was seen and exaggerated as railways, corporations, and labor availed themselves of the means of co-operation. The connection between the great financial interests and politics was believed to be dangerous to public welfare. All the mechanical reforms for the recovery of government by the people that had been originated between 1889 and 1897 were revived once more, and there was added to confidence in them a widespread belief in the existence of a malevolent, plundering class.

"It was not enough that the trust movement should be explained as an unavoidable development from modern

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communication. It was believed to constitute more than an economic evolution. The public was prone to place an ethical responsibility upon an individual or group of individuals, and there came a series of revelations or exposures that appeared, in part, to fix the blame. All the old uprisings against boss-rule were revived, and capitalistic control was placed upon the Index."

Magazines and books were used as the chief vehicles for spreading the results of investigations. *McClure's Magazine* published a history of the Standard Oil Company by Ida M. Tarbell, as well as a portrayal of the rotten conditions existing in municipalities, under the title "The Shame of the Cities," by Lincoln Steffens. Thomas W. Lawson exposed conditions in the financial world in *Everybody's Magazine* in a series of articles entitled "Frenzied Finance." Upton Sinclair exposed and attacked the methods of the 'beef trust' in *The Jungle*. *Collier's Weekly* made a special study of the conditions existing in the patent medicine business. Winston Churchill, the novelist, wrote *Coniston*, in which he showed the connexion between state politics and a railroad 'boss.' Magazines by the hundred were published simply to expose conditions, and, remarkable to state, they were purchased eagerly by the American public, which had determined that 'big business' and politics must be controlled and that the government must be taken from the hands of those who were abusing it and be returned to the people. Undoubtedly men like Roosevelt, Bryan, and La Follette were the leaders in this reform movement, although they were compelled from time to time to warn the investigators and writers not to confine themselves to criticism, but to attempt something constructive.

A tremendous amount of good resulted from this 'muck-raking.' The people often rewarded the leaders in the reform movement by electing them to office. For example, Joseph W. Folk was elected governor of Missouri as a direct result of his investigation of political conditions in that state, and Charles E. Hughes was similarly honoured in New York state for his share in disclosing the relations that existed between certain life insurance companies and politics, finance,

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and speculation. As a direct result of the exposures in *Collier's Weekly*, the national Government passed a Pure Food and Drug Act in 1906. This Act provided for Federal inspection of meat houses, the proper labelling of food products, and the prohibition of dangerous preservatives and adulterations. Under the able supervision of Dr Harvey W. Wiley this Act was executed in a most efficient manner.

Although not directly connected with the reform movement, the railroad legislation passed during Roosevelt's second term nevertheless carried out its spirit. Roosevelt had taken the leadership in the demand for the enforcement of the Interstate Commerce Act of 1887 and the strengthening of the powers of the commission. In his public speeches and in his messages to Congress the President reiterated again and again the necessity for constructive legislation which would wipe out the existing abuses and which would give the Railroad Commission the power to fix rates. When the railroads saw that legislation was inevitable they carried on a nation-wide propaganda to prevent such legislation if possible, or, failing that, to weaken any measure that might be passed. An expensive 'lobby' was maintained at Washington to see that hostile legislation should not be passed. The activity on the part of the railroad magnates merely served to convince the public that legislation was needed. The result of the popular outcry was the Hepburn Act of June 29, 1906. The most important provision of this Act concerned rate-making. It gave the Interstate Commerce Commission power to hear cases where charges were made that rates were unjust and unreasonable and to determine what would be a just and reasonable rate. It also gave the commission control over express companies, sleeping-car companies, terminals, spur-tracks, switches, and pipe-line companies. Free passes, with a few exceptions, were absolutely forbidden. Railroads were forbidden to carry goods in which they had an interest, unless such goods were for their own consumption. The commission could also determine what system of bookkeeping the roads were to use. This was to prevent the covering up of rebates and other

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corrupt practices which the roads had indulged in. The Hepburn Act was very drastic, and gave promise of compelling the operation of the railroads as a public utility rather than as a private enterprise. Unfortunately some of its provisions were nullified by the Supreme Court in later decisions, but it has satisfied the public to a great extent. Many of the various state Governments followed the example of the national Government and passed laws controlling the railroads within their borders. Laws regulating hours of labour, wages, rates, and liability for accidents were passed without very much regard for their necessity or wisdom. Some of the laws were really beneficial, but the vast majority of them did little more than embarrass the railroads.

Throughout his second administration Roosevelt continued his policy of 'trust-busting.' He made several efforts to compel corporations doing an interstate business to take out Federal charters, but met with no success in Congress. His efforts to have the Sherman Anti-Trust Act amended so as to conform with existing conditions was also received coldly by Congress. Nevertheless, Roosevelt continued to bring suits against trusts, etc., through his Attorney-General. During 1904 the Government began a suit against the beef trust, and a decision in its favour was given the following year. The trust was ordered to dissolve. It was partly the disclosures made in this investigation that led to the passage of the Pure Food and Drug Act mentioned above. In 1907 suits were begun against the Standard Oil Trust and the American Tobacco Company (the tobacco trust). Four years later these combinations were ordered to break up into their component parts. These decisions had very little real value, particularly in the case of the Oil Trust, for while it separated into thirty-eight distinct companies, the price of its commodities and the value of its stock took a sharp upward jump. The free competition that was expected never materialized.

Roosevelt's term was also marked by an increasing demand for social legislation, such as for shorter hours of work, compensation for accident, sanitary working conditions, prohibition of child-labour, minimum wages, etc. Employers fought

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these "new-fangled ideas" with all the means in their power, and in many cases the courts upheld the employers' point of view. Roosevelt roundly condemned these backward decisions, claiming that the judges "knew legalism but not life." In 1908 Congress refused to pass an Act aimed at controlling child-labour through its control of interstate commerce. Two years previous to this the Supreme Court declared unconstitutional a Working Men's Compensation Act applying to employees of interstate commerce carriers. In 1908, however, a similar Act was passed and upheld by the judicial branch of the Government. Congress also passed Acts which aimed at making railway travel safer and which regulated the number of hours train crews might work. Many states passed similar laws with varying degrees of success. There was a lack of uniformity in the measures, wholesale violations, and a lukewarmness on the part of the judiciary that nullified to a great extent the benefits derived from such legislation. The result has been that many of the countries of Europe are far in advance of the United States along these lines.

"One of the most praiseworthy movements begun under the Roosevelt administration was that for conservation of natural resources. Up to that time wastefulness had been the most glaring of American faults. The land had been ruined by failure to prevent erosion, or by persistent cultivation of exhausting crops; coal was wastefully mined and wastefully burned; natural-gas wells were left to roar unchecked for months, or to flame to the heavens for years; the forests were ruthlessly cut down, and each year fires swept away thousands of square miles, leaving worthless wastes where blasted trunks stood amid the blackened stumps and prostrate bodies of comrades half consumed. In a variety of other ways Americans seemed bent on despoiling posterity of its heritage. As regards the national domain, the accepted policy had been to give away as rapidly as possible, and though millions of acres had been taken up by desirable and deserving settlers, immense areas had fallen into the hands of a comparative few."¹

¹ Haworth, *The United States in Our Own Times*, pp. 330-331.

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The rapid disappearance of desirable public land by 1880 undoubtedly called the attention of the American public to the waste that was going on around them. Large tracts of public land had been obtained under false pretences and were held by speculators for a rise in prices. Millions of acres had fallen into the hands of foreigners who had taken advantage of the national Government's liberal policy to amass huge fortunes. Railroads which had been subsidized by state and national land grants had failed to live up to the terms of their contracts and had used the land for speculative purposes. Conditions were much the same with regard to the national forests, although the Federal Government had taken action to conserve them before they were totally destroyed. As a result of agitation on the part of associations formed to conserve the forests of the nation, Congress passed the Forestry Reserve Act in 1891; this enabled the President to set aside any land bearing forests as public reservations. Up to the time Roosevelt came into office about 35,000,000 acres had been set aside under the provisions of this Act. The prime mover in the preservation of the nation's forests was Gifford Pinchot, who had made a lifelong study of scientific forestry. In McKinley's administration he was made the head of the division of forestry in the Department of Agriculture. He developed an efficient corps of foresters, although he was not in charge of the public forests, which were the concern of another bureau utterly incapable of carrying on any sort of conservation work. In 1905 Pinchot became head of the forestry service, with charge of the public forests. He and Roosevelt were warm friends and worked hand-in-hand for forest conservation. The President added 150,000,000 acres of timberlands to the public reservations under the Act of 1891. As was to be expected, the forestry service and its work was bitterly attacked by those lumber magnates whose interests and activities were appreciably decreased by the setting aside of public reservations. Besides planting millions of new trees the forestry service patrolled the forests to prevent fires and thieving. President Roosevelt also created new national parks and game preserves, and he

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established reservations throughout the country as refuges for birds.

Another phase of the conservation movement was the vast irrigation projects of the West. A vast 'empire' of arid land stretched from Western Kansas, Nebraska, and the Dakotas to Eastern California. Much of this land could be cultivated provided there was sufficient water, and in 1902 an important step was taken to provide this. The New Lands Reclamation Act of that year permitted the Federal Government to set aside income from the sale of public lands in several states and territories for the purpose of carrying out irrigation projects. This money has been wisely expended in the construction of dams and reservoirs, which supply water to land that formerly constituted a desert. Some of these projects were marvellous engineering feats. Three famous examples are the Engle Dam on the Rio Grande, the Roosevelt Dam on the Salt River, and the Shoshone Dam in Wyoming. Besides this Governmental activity, wonderful progress has been made by private enterprise. By 1920 water had been provided for about 1,500,000 acres by the Government, of which more than a million acres were under cultivation. The reclamation work is merely in its early stages, and it would not be an exaggeration to state that fifty or a hundred years from now the Great American Desert will be no more.

To further his schemes for conservation of national resources President Roosevelt called a meeting in May 1908 of the governors of the states at Washington. The meeting was attended by scientists and many prominent men who were interested in the movement. The conference discussed the conservation movement with an enthusiasm that delighted the President. Recommendations were made to further the conservation movement, and one practical outcome of the conference was the appointment of a conservation commission in practically all the states. These commissions co-operated with one another and with the National Conservation Commission established by President Roosevelt with Pinchot at its head. Unfortunately the national organization was forced out of existence by the refusal of Congress to appropriate

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further money for its continuance. Although it is too early to state the exact value of the conservation movement, it is safe to predict that future generations will consider President Roosevelt's activities in its behalf as his greatest contribution to human welfare.

ELECTION OF 1908. TAFT'S ADMINISTRATION

As the Presidential year 1908 approached both parties were looking round for candidates. President Roosevelt's popularity was so great with the common voter that there was slight possibility of any man he might select as his successor being defeated at the polls. By many of the leaders of his party, however, he was extremely disliked and hated. His attitude toward the trusts and railroads and 'big business' in general made many enemies for him among the capitalist class. This hostility was clearly manifested in the ranks of the Republican majority in both the House of Representatives and the Senate. It seemed to increase as his term drew to a close. A slight 'money panic' in 1907 was seized upon by his opponents in the Republican party as an example of the evil resulting from his interference in legitimate business. Prosperity soon returned, however, and his popularity was unaffected by the charges. For a time it seemed as though Roosevelt would be compelled to run for office again, despite his resolute determination to stand by his announcement of 1905 that he would not do so. The popular enthusiasm for him was so great that he had little difficulty in causing the Republican national convention, which met in June, to nominate William Howard Taft, whom he had selected to carry on his policies. Taft was nominated on the first ballot. He had been in the public eye for some time and had made a reputation as an able and efficient administrator. He had been governor of the Philippines, a member of Roosevelt's Cabinet, and had been entrusted with several special missions. The platform praised the work of the party under Roosevelt, and demanded currency reform, tariff reform, the strengthening of the Interstate Commerce and Sherman Anti-Trust Acts, and a definition of the power of the courts to issue injunctions

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in labour disputes. Although the tariff plank was rather vague, Taft stated in his campaign speeches that it meant downward revision.

Bryan dominated the proceedings of the Democratic convention, although many of the delegates were loath to nominate him for the Presidency. The conservative wing of the party had made such a failure of the 1904 election, however, that the party feared to permit it to pick the candidate. As there was no other candidate with the ability and prestige of Bryan he was selected on the first ballot. The platform was strikingly similar to that of the Republican party, although it severely condemned that party as one of "privileges and private monopoly."

The campaign, which was fought without a real issue, was very quiet and uninteresting. Taft was elected by a popular vote of 7,700,000 to 6,500,000 and an electoral vote of 321 to 162. The Socialist vote was increased by only 18,000 over that of 1904. The Republicans also gained control of both the House and the Senate.

Everybody believed that the administration of Taft was going to be a continuation of that of his predecessor and sponsor, despite the fact that there was a wide difference in the philosophy and temperament of the two men. Taft had a legalistic mind, which made him test every official act as to its constitutionality, whereas Roosevelt first thought of the expediency of the deed. Roosevelt sensed the popular will almost before it was expressed, while Taft was much slower in this regard and was practically unable to 'ride on' popular opinion. Roosevelt's indefatigable energy was entirely lacking in Taft, who was inclined to be slow and easy-going. Taft did not believe that he was the leader of Congress, but felt that he was restricted by the Constitution to a position of equality with the legislative and judicial branches of the Government. His sense of humour, democratic simplicity, and kindness endeared him to the people, but their feeling for him was different from the blind enthusiasm that greeted 'Teddy' wherever he went. Taft also lacked the power to fight his opponents that Roosevelt possessed to such a high degree.

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He tried to steer a middle course between the radicals and conservatives in Congress rather than join one group and battle with the other. He disappointed a vast majority of Roosevelt's followers by his failure to keep the former President's Cabinet intact. His advisers were largely composed of men with great legalistic minds, but with practically no experience in public life.¹

The first problem that faced the new administration was that of tariff revision. The platform had promised a special session of Congress to take up this question as soon as possible after inauguration day. The plank dealing with this subject was rather vague, but the entire country expected a downward revision of the rates. The special session of Congress met on March 15, 1909. The making of the new tariff Bill was in the hands of Sereno Payne, of New York, chairman of the House committee on ways and means, and Nelson Aldrich of Rhode Island, chairman of the Senate finance committee. The new Bill was introduced in the House by Payne and provided for a general reduction of duties. In the Senate the Payne Bill was received rather coldly. The leading group in that body was composed of men who believed that the tariff should be kept as it was, or that, if it must be changed, the rates should be increased. A small minority of the Republicans, led by Cummins and Dolliver of Iowa, Bristow of Kansas, Beveridge of Indiana, and La Follette of Wisconsin, favoured a radical reduction in the existing rates. The protectionists held the power, however, and they succeeded in adding more than 800 amendments to the Payne Bill. Most of these amendments provided for higher rates. A conference committee upheld a great majority of the Senate amendments despite the bitter opposition of the 'insurgents,' who voted against the Bill. Public opinion was strongly

¹ The Cabinet was composed of P. C. Knox, Pa., Secretary of State; F. MacVeagh, Ill., Secretary of the Treasury; J. M. Dickinson, Tenn., Secretary of War; G. W. Wickersham, N.Y., Attorney-General; F. H. Hitchcock, Mass., Postmaster-General; G. L. Meyer, Mass., Secretary of the Navy; R. A. Ballinger, Wash., Secretary of the Interior; J. Wilson, Ia., Secretary of Agriculture; C. Nagel, Mo., Secretary of Commerce and Labor. Meyer and Wilson had been in Roosevelt's Cabinet.

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against the Bill, and President Taft was bitterly attacked in liberal Republican circles for his failure to exert his influence for the reduction of the rates. The fight in the Republican party over the provisions of the Payne-Aldrich Bill widened the breach between the 'insurgents' and the 'reactionaries,' and caused the smouldering embers of discontent which existed in Roosevelt's administrations to flare up into a seemingly unquenchable flame.

The breach between the two hostile groups was further widened by a scandal which arose in the Department of the Interior. Certain actions on the part of Taft's Secretary of the Interior, Richard A. Ballinger, were severely criticized by his subordinates, Gifford Pinchot and L. R. Glavis of the Forestry Service. Taft upheld his Secretary, and dismissed four of his assistants, including Pinchot, for insubordination. This act was severely condemned in the Press favourable to the 'insurgents,' as well as by the 'insurgents' themselves. As the 'insurgents' were composed largely of the men who had been staunch supporters of ex-President Roosevelt it may readily be seen that Taft was gradually losing his hold on the rank and file of his party and was being thrown into the arms of the conservatives and reactionaries. Although Ballinger was vindicated by a Congressional investigating committee, hostile criticism finally forced him to resign in 1911. Unfortunately for Taft, he was unable to seek the advice of his friend Roosevelt, because the latter, with his son, was absent on a big-game hunting-trip in the wilds of Africa. Although Taft dismissed Pinchot, the 'father of the conservation movement,' he was keenly interested in the movement and did much to advance its interests.

That the rift in the Republican ranks was more than temporary was indicated by the struggle carried on in the House of Representatives against the Speaker, Joseph G. Cannon. Under the rules of the House he exercised complete control over legislation, and complaints were heard in every quarter that he was not only impeding, but was actually preventing progressive legislation. The same complaint was made against Senator Aldrich in the upper branch of the

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legislature. By combining with the Democratic minority the Republican 'insurgents' were able to shear the Speaker of many of his powers and turn them over to the House itself. A similar 'revolution' occurred in the Senate after the retirement of Aldrich of Rhode Island and Hale of Maine, two of the most obstinate reactionaries that ever graced the halls of Congress. The Democratic-Republican combination was able to pass several Acts of progressive legislation, despite the bitter opposition of the conservatives. The Mann-Elkins Act of June 18, 1910, virtually gave the Interstate Commerce Commission the power to fix rates absolutely. Under the Hepburn Act a shipper was entitled to make a complaint, but had to accept the oppressive rate until the commission made a decision. Under the new Act the commission could suspend any new rates for a period long enough to determine whether they were reasonable or not. Another Act of the same month required the publication of the names of contributors to Federal campaign funds as well as particulars of the expenditure of money thus contributed. Amendments also passed Congress for the laying of an income tax and the direct election of United States senators.

The 'insurgent' revolt in Congress was reflected throughout the nation. Unrest was widespread and centred round popular dissatisfaction with political and economic conditions. Demands were made for a complete revision of the Federal Constitution and a general overhauling and curtailment of the powers of the courts. Direct government by the people, such as the introduction of a primary system¹ and the use of the initiative,² referendum,³ and the recall,⁴ was insistently called for. Many of the states introduced and passed laws putting these reforms into operation. It is too early as yet to determine whether they are going to work successfully or

¹ The holding of a preliminary election of party candidates to stand at the regular election.

² The power residing in a certain percentage of voters to have a Bill voted upon on election day.

³ The submission of an Act of the legislature to the electorate.

⁴ The compelling of an office-holder to seek re-election before his term of office has expired if a certain percentage (usually 8 per cent.) of voters demand it.

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not, although many historians and other prominent critics feel that a more enlightened electorate and a more responsible citizenship are the only two conditions hindering their successful operation.

In the midst of this political upheaval ex-President Roosevelt returned from his hunting-trip (June 1910), and after some hesitation placed himself squarely with the 'insurgents.' In a speech delivered in Kansas he enunciated his creed of 'New Nationalism,' which demanded a greater control of corporations, conservation, an income tax law, direct primaries, the recall, and labour legislation. He demanded increased Federal powers and the abolition of the 'twilight zone' between Federal and state powers, which had long been a refuge for law-breakers, especially law-breakers of great wealth. The breach in the ranks of the Republicans gave the Democrats great hopes for success in the Congressional elections of 1910. Their hopes were amply rewarded, for they succeeded in turning out the Republican majority in the House and in reducing the opposition majority in the Senate to ten, a number far too small to carry out partisan legislation if the 'insurgents' refused to stand by the 'stand-patters.'¹

This political overthrow was a direct blow at President Taft, who had by this time definitely aligned himself with the conservative element of his party. Believing that the tariff was the chief cause of the dissatisfaction with his administration, he determined to remove that cause to some extent by negotiating a reciprocity agreement with Canada. American agricultural and lumber interests were bitterly opposed to the Bill. By a show of unexpected force Taft was finally able to have the measure passed by both Houses of Congress, but his plan received an unlooked-for death-blow when the Canadians emphatically defeated the Laurier Government which had negotiated the measure. This disastrous result undoubtedly weakened Taft's position. Reductions in the Payne-Aldrich Bill passed by the Democratic House and the Democratic-insurgent coalition in the Senate were promptly vetoed by the

¹ This term is commonly used in the United States to denote reactionaries or conservatives—people opposed to any change.

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President, whose action in these cases gave the Democrats ample campaign material for the Presidential election of 1912.

As early as 1911 the Republican leaders began to think about the selection of a candidate to represent the party in the coming election. Here again the deep chasm in the Republican ranks was clearly visible. The conservative element, while not particularly enthusiastic about Taft's chances of re-election, believed that he should be renominated as a vindication and because they feared the strength of the progressive revolt. Taft himself was anxious for a renomination, and there appeared little hope of wresting the control of the party machinery from him. The progressive element of the party determined to oppose the selection of Taft for a second term with all the means in their power. They looked to Senator La Follette as their natural leader, but were ultimately compelled to abandon him because he was unable to gain the support of the entire country. A large group of the progressives was in favour of Roosevelt. His was a most difficult position. He had placed Taft in the President's chair and was now expected to overthrow his own *protégé*. Besides this, he had stated positively in 1905 that he would not be a candidate again. Despite these obstacles, he finally consented on February 24, 1912, to be a candidate.

The entrance of Roosevelt into the field as a candidate led to the bitterest pre-convention fight the American public has ever witnessed. Many of the Western states had preferential primaries, and Taft and Roosevelt toured these districts making bitter and acrimonious attacks upon each other. In nearly all the primary contests Roosevelt received the popular verdict, but in states where the old convention system still existed Taft's control of the party machinery was sufficiently strong to cause the selection of delegates who were favourable to him. This was particularly true in the solid Democratic South, where the Republican delegates were mostly chosen from Federal office-holders. Naturally, as their political future depended upon the party in power remaining in power, they determined to support Taft at all costs. The result of the pre-convention campaign resulted in more than two

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hundred delegate positions being contested for by both Taft and Roosevelt men. As these contests are decided by the national committee, which was controlled by the Taft element, very few of them were decided in Roosevelt's favour.

When the nominating convention finally met in Chicago on June 18 the Roosevelt supporters bitterly protested against the 'steam-roller' tactics of the national convention. After a riotous scene the decisions of the national committee were upheld, and the nomination of Taft was assured. The Roosevelt delegates, disgusted by the treatment they had received, either left the convention hall or refused to take part in the proceedings. The convention proceeded to adopt a typical Republican platform, with a few sops to those who demanded political and economic reform. The disgruntled supporters of Roosevelt held an informal meeting and decided to call a convention of the progressive party on August 5.

The Democratic convention met in Baltimore on June 25, and was divided into the two usual groups, the progressives and the conservatives. The leading conservative candidates were Governor Harmon of Ohio and Congressman Underwood of Alabama; the leading progressives were Woodrow Wilson, governor of New Jersey, and Congressman Champ Clark of Missouri. Clark controlled the greatest number of delegates, although he was unable to receive the necessary two-thirds vote. Once again W. J. Bryan was the dominating figure of the convention. Largely as a result of Bryan's shrewd manipulation, Wilson was selected as the Democratic candidate on the forty-sixth ballot. The platform adopted was very similar to that of 1909. The nominee was a relative stranger to national politics. He had studied law in early life, but had given up this profession to enter the teaching field. In 1902 he became president of Princeton University. He was the author of several books and essays on historical and political science subjects. In 1910 he was elected governor of New Jersey, and gained wide reputation as sponsor for many progressive laws.

The progressive party held its convention in Chicago on August 5. Amid scenes of wild enthusiasm Roosevelt was

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nominated for the Presidency and Governor Hiram Johnson of California for the Vice-Presidency. The platform adopted contained most of the demands of Roosevelt in his speech on 'the New Nationalism' in 1910. Thousands of former followers of Roosevelt deserted the Republican ranks and came over to the side of their idol.

After a campaign of great excitement, enthusiasm, and 'mud-slinging'—a phrase applied to personal attacks on the candidates—the election was held in November. As was freely predicted, Woodrow Wilson was the successful candidate. He received an electoral vote of 435, as against 88 for Roosevelt and 8 for Taft. Nevertheless, his popular vote fell far short of the combined Taft and Roosevelt vote. Wilson's popular vote was 6,286,214, Roosevelt's 4,126,020, and Taft's 3,483,922. The House and Senate also were Democratic. The schism in the Republican party was much deeper than anyone had supposed, and the question of the future was whether the progressive or the conservative wing was to gain control of the party or whether the split was to be permanent.



ROUTES PASSING THROUGH THE PANAMA CANAL

CHAPTER VII

WOODROW WILSON AND THE WORLD WAR

ON March 4, 1913, Woodrow Wilson was inaugurated. He was the first Democrat to hold the office of President since Cleveland's term (1892-96). One of the best characterizations of this remarkable man is that of Lingley in his *Since the Civil War*, where he states: "The outstanding characteristic of Wilson is a finely organized, penetrating intelligence. Somewhat like a silent chess-player, he thinks many moves in advance, a fact which makes it difficult to judge a single act of his without a knowledge of the whole plan. Before coming to the Presidency he had long pondered on the proper and possible function of that office, and had drawn in imagination the outlines and many of the details of the rôle which he was to play. Years of careful study had drilled him in the accumulation of facts. As a specialist in politics and history he was accustomed to make up his mind on the basis of his own researches, and to change his judgments without embarrassment when new facts presented themselves. His literary style is characterized by precision, a close texture, and frequently by suppressed emotion. He thinks on an international scale and with a profundity that often dwarfs associates who are by no means pygmies themselves. An unbending will, an alert conscience, stubborn courage, restrained patience, political sagacity, a thoroughgoing belief in democracy, and above all an instinctive understanding of the spiritual aspirations of the common people, made him the most powerful political figure in America within a brief time after his accession to the Presidency. On the other hand, his aloofness from counsel during the later part of his Presidency exceeded that

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of Cleveland, and his abnormal self-reliance was greater than that of Roosevelt.

“ His conception of the part which the chief executive ought to play was a definite one. He looked upon the President as peculiarly the representative of the whole people in the Federal Government, as the leader of the party in power and as commissioned by the voting population to carry out the platform of principles upon which the party and its leader were elected. He believed that the unofficial leaders who are better known as ‘ bosses ’ existed partly because of the absence of official leaders. As Governor of New Jersey he had acted on the principles that he had outlined for the chief executive of the nation, and upon his accession to the Presidency he began at once to put into effect a similar program.”

The President's inaugural address was admirably written, and was received by all liberal-minded men as a statement of their own ideas. One passage that was widely quoted ran as follows : “ This is not a day of triumph ; it is a day of dedication. Here muster not the forces of party but the forces of humanity. Men's hearts wait upon us, men's lives hang in the balance ; men's hopes call upon us to say what we will do. Who shall live up to the great trust ? Who dares fail to try ? I summon all honest men, all patriotic, all forward-looking men, to my side. God helping me, I will not fail them, if they will but counsel and sustain me.” The Cabinet positions were filled by men of comparative obscurity, with the exception of that of Secretary of State. This place was given to W. J. Bryan, the acknowledged leader of the Democratic party and the one man who was largely instrumental in the selection of Wilson at Baltimore. His appointment was enthusiastically received among the rank and file of the party.¹

¹ The following were members of the President's Cabinets during his two terms in office 1913-21. Secretary of State : W. J. Bryan (to 1915), R. Lansing (to 1920), B. Colby ; Secretary of the Treasury : W. G. McAdoo, C. Glass, D. F. Houston ; Secretary of War : L. M. Garrison, N. D. Baker ; Attorney-General : J. C. McReynolds, T. W. Gregory, A. M. Palmer ; Postmaster-General : A. S. Burleson ; Secretary of the Navy : J. Daniels ; Secretary of the Interior : F. K. Lane, J. B. Payne ; Secretary of Agriculture : D. F. Houston, E. T. Meredith ; Secretary of Commerce : W. C. Redfield, J. W. Alexander ; Secretary of Labor : W. B. Wilson.



THEODORE ROOSEVELT

President of the United States 1901-9



T. WOODROW WILSON

President of the United States 1913-21

Underwood Press Service

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In accordance with the promises of himself and his party the President called Congress into special session on April 7, 1913, in order to deal with the pressing problems of the day, particularly tariff and banking and currency reform and trust legislation. The general plan President Wilson had in mind had been summed up in a book entitled *The New Freedom*. This was a collection of campaign speeches dealing with the economic problems of the day. The general theme was that he and his party were opposed to monopoly which had been built up by questionable practices. The method of attack seemed to be the destruction of such monopolies and a return to the old system of free and unrestrained competition. When Congress assembled and informed the President that it was ready for business, he appeared before it in person and read his message. He was the first President to do this since the time of John Adams (1797-1801). Some opposition to this course of procedure arose among the ranks of his own party, but it soon subsided. Undoubtedly Wilson had determined to adopt Roosevelt's idea and become the real leader of the nation, even in legislative matters.

Wilson's first message to Congress dealt primarily with the question of tariff reform. He advocated a general reduction of nearly all duties, but urged that the problem be treated in a scientific manner and without granting special privileges to anyone. The new Tariff Bill was carefully prepared in the House under the able leadership of Oscar Underwood, the chairman of the Ways and Means Committee. It passed with very little difficulty. In the Senate it met with considerable opposition. In the first place the Democratic majority was only six, and some of the President's own party objected to certain provisions of the Bill, notably the proposition that sugar should be placed on the free list. Another powerful agency that hindered the passage of the Bill was the appearance of an influential and numerous 'lobby.' The activities of this group were so insidious and far-reaching that President Wilson issued a public statement attacking them, claiming that they were at Washington not for the good of the public, but for private profit. It was not until October 3 that the Underwood-

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Simmons Tariff Bill finally became law. It was by no means a free-trade Bill, but it materially reduced the duties on more than nine hundred articles. On about three hundred they remained the same, and on about eighty they were raised. This last group consisted mainly of the chemical schedules. The duty on sugar was reduced about one-quarter, and after May 1, 1916, this article was to be placed on the free list. In April 1916 this provision of the Bill was repealed, largely as a result of the opposition of the Democrats of Louisiana. The Act also established free trade with the Philippines, and, as an encouragement to the development of the American merchant marine, provided that 5 per cent. should be deducted from the tariff duties on all articles brought in American bottoms. Although no provision was made at the time for a tariff commission, one was finally created in September 1916. It was to consist of six members appointed for a period of twelve years. One of the most important provisions of the Bill was an income tax measure. The constitutionality of this was assured by the adoption of the Sixteenth Amendment to the Federal Constitution on February 25, 1913. The new Bill provided for a tax of 1 per cent. on incomes over \$3000 of single persons and \$4000 for married persons, and an additional tax of 1 per cent. on incomes between \$20,000 and \$50,000 and a further graduated tax up to 6 per cent. on incomes over \$500,000. The revenue derived from this source was expected to make up for the probable loss of tariff revenues.

On June 23, 1913, President Wilson again appeared before Congress and asked for reform in the banking and currency laws. He stated that the existing situation was very unsatisfactory and asked for a more elastic currency, Government control of the banking system, and a workable scheme for mobilizing bank reserves. Three days later a Bill was introduced in the House sponsored by Carter Glass. In the Senate it was in charge of Mr Owens. Both the President and the Secretary of the Treasury, Mr McAdoo, were keenly interested in the Bill and played a large part in the drafting of it. The Federal Reserve Bank Act was finally passed in December 1913. It provided for the establishment of

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Federal Reserve Banks in Federal Reserve Districts (twelve in number). The capital stock of these banks was to be supplied by the banks in the district, which were to become member banks. At the head of the entire organization was the Federal Reserve Board, situated at Washington. The Board was composed of the Secretary of the Treasury, the Comptroller of the Currency, and five members appointed by the President for a term of ten years. The Federal Reserve Board could issue Federal Reserve notes to the various Federal Reserve Banks upon the deposit of commercial paper and gold. In this way the currency was made elastic ; when more was wanted it could easily be obtained, and when the demand for it decreased it could be taken out of circulation just as easily. Under the old National Bank system, before the amount of currency could be increased the National Banks were compelled to purchase United States gold bonds. It is obvious that if the banks had the gold they would not need the paper currency. Another sound feature of the new system was the centralization of reserves. The member banks are compelled to keep a certain balance with the regional Federal Reserve Bank, and the Federal Reserve Board can shift these reserves to any part of the country as soon as panic conditions appear. Under the old system, if New York needed money to tide it over some difficulty, there was no way in which it could call on Chicago or San Francisco for aid. The new system has worked out very well since it has been in force. It dealt with the unusual situations arising from the World War in admirable fashion. Some economists claim, however, that the ease with which the amount of money in circulation can be increased will have a tendency to inflate the currency.

On January 20, 1914, President Wilson again appeared before Congress to urge legislation on the trust situation. After months of discussion two Bills were finally passed (September 26 and October 15) which were expected to be the last word in the regulation of industry. The first one was the Act creating the Federal Trade Commission. The commission, composed of five members, was given power to investigate corporations other than railroads doing an interstate trade.

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It was also empowered to enforce anti-trust regulations and to prevent unfair practices on the part of corporations. The second Act was the Clayton Anti-Trust Act. This Act prevented price discrimination against purchasers; forbade corporations to acquire stock in other corporations engaged in the same line of trade if such acquisition would tend to foster monopoly, and forbade interlocking directorates in competing banks or corporations. Labour and agricultural societies were declared exempt from the provisions of the Act, and labour was specifically protected from the hated injunction and its attendant evil, contempt of court proceedings. An effort to prevent stock manipulation and the issue of 'watered' stock met with such resistance that it had to be abandoned. Although the Act was hailed as the panacea for all the evils accompanying 'big business,' it must be admitted by fair-minded men that many of the corrupt practices still exist.

The legislation on these three big problems confronting the administration greatly enhanced the power of the President. He took the lead in all of them, and, as a result of his domination, became the undisputed head of a united party. A slight division occurred over the repeal of the Panama Canal Tolls Act in 1914, but it was soon closed and forgotten. The Congressional elections in 1914 increased the Democratic representation in the Senate, and, although they reduced the number of Democrats in the House, left them with a workable majority. Important legislation was passed during the second half of Wilson's first administration, although it was overshadowed to a large extent by affairs in Europe. A Farm Loan Bank system was established, to do for the farmers what the Federal Reserve system did for the business men; Porto Rico and the Philippines were given a larger amount of self-government; the development of Alaska was provided for; and Federal aid was granted for state highway projects. One result of all this constructive legislation was a vast increase in the number of Federal officials. As was only natural, the President was besieged from all parts of the country for posts for deserving Democrats. Wilson, however, took a strong

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stand against the filling of offices through influence, and with very few exceptions strictly adhered to the merit system, and in fact did much to advance its cause.

FOREIGN AFFAIRS, 1912-16

William J. Bryan, the Secretary of State, was a keen advocate of the use of arbitration as a means of settling international disputes. It will be remembered that both Roosevelt and Taft were of the same opinion and had negotiated many limited arbitration treaties with most of the leading nations of the world. Shortly after Bryan was appointed to office he laid his scheme before the diplomatic corps at Washington. His plan was to have a treaty signed by the United States and a foreign Power which would provide for the arbitration of any dispute. While the matter was being arbitrated neither nation was to make any declaration of war or prepare for such. Within a year he had negotiated thirty-one such treaties. Much significance is now given to the fact that both Germany and Austria-Hungary refused to enter such an agreement.

Another policy of former Presidents that Wilson continued was that of establishing a protectorate over smaller American republics. In 1915 a treaty was ratified between the United States and Haiti which put into effect regulations similar to those in existence in Santo Domingo. A year later a similar agreement was reached with Nicaragua. In 1916 the United States acquired sovereignty over the Danish West Indies by purchasing them for \$25,000,000. An attempt in the same year to secure the ratification by the Senate of a treaty agreeing to pay Colombia \$25,000,000 for the Panama concession failed.

Shortly after Wilson's inauguration the anti-Japanese sentiment flared up again in California. In 1913 the Californian legislature was considering a Bill to prevent aliens from holding land within the state. The measure was so worded that it would apply almost entirely to the Japanese. This was in direct violation of the existing treaties between the United States and Japan. Bryan went to California and exerted his influence against the land laws, but succeeded

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merely in modifying them to some extent. The Japanese under the modified law could not own land, but could only lease it for a short period of time. The feeling of hostility was thus abated for the time being, but it is certain to arise again sooner or later. In 1917 the United States acknowledged Japan's interest in China, although the two Governments stated that they were both opposed to any Government gaining privileges in China which would impair her independence.

Relations with Mexico during President Wilson's first term were exceedingly difficult and on several occasions brought the two neighbours to the brink of war. The history of that country had been a stormy one since its very beginning. Governments were set up and overthrown with bewildering rapidity, and it seems that only when a strong autocrat held the reins was peace really established. Such an autocrat was Porfirio Diaz. He had ruled Mexico with an iron hand from 1877 until 1910, with the exception of the years 1877-80. During his *régime* the country was outwardly very prosperous. Internally, however, conditions were very bad. The resources of the country were almost entirely in the hands of foreigners, who exploited them for their own benefit, with little or no thought for the welfare of the Mexican people. The mass of these were held in virtual slavery by the large landowners. These in turn were often preyed upon by wandering bandits who infested many of the outlying sections of the country.

In 1910 a revolt was organized against the aged Diaz by Francisco Madero. The movement was so successful that Diaz was obliged to flee to Europe in 1911. Madero then became President. Americans were greatly interested in the events in Mexico, and President Taft was compelled to send troops to the border to prevent violations of the international boundary line. A small but powerful group of Americans with economic interests in Mexico began to demand intervention in the affairs of the unhappy sister republic. In February 1913 Madero was overthrown and assassinated. Taft, who was on the verge of retiring from the Presidency, determined to leave the question of future relations entirely in the hands of his successor. The control of the Mexican

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Government was seized by Victoriano Huerta, the commander-in-chief of the army and apparently the chief instigator of the overthrow and murder of Madero. Huerta was almost immediately recognized by the nations of Europe, but the new President of the United States refused to recognize him because of the violent, unconstitutional, and immoral manner in which he had come into power. President Wilson attempted to persuade Huerta to hold a Presidential election in which he himself would not be a candidate. Huerta refused, and as a result President Wilson withheld recognition and adopted a policy of 'watchful waiting,' based on the hope that Huerta would be unable to get sufficient funds to carry on his government. The relations between the two countries were very strained. Huerta was unable to get complete mastery over Mexico. Carranza and Villa, two leaders in the north, refused to recognize his authority and kept up a continual guerrilla warfare against his rule.

In April 1914 the United States and Mexico were on the very brink of war. American marines who had landed at Tampico were arrested by Mexicans and imprisoned. Although they were later released and the act repudiated, Admiral Mayo demanded that the Mexican Government salute the American flag. This Huerta refused to do. Thereupon the American fleet bombarded and captured the city of Vera Cruz. Argentina, Brazil, and Chile offered their good offices to bring about an amicable settlement of the difficulties of the two nations. The so-called A.B.C. Conference met at Niagara Falls, Canada, and attempted reconciliation. Although it accomplished little of value, it did serve to keep the two countries from going to war, as well as to show the other South American republics that the United States did not desire to subjugate Mexico. Huerta's dictatorship in the meantime was steadily losing strength, and in July 1914 he was obliged to resign and flee to Europe.

The constitutionalists, under the leadership of Carranza, soon entered the capital and set up a government. Carranza's *régime* was expected to end all the troubles of the unfortunate country and to start it on the road to peace and prosperity.

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This expectation was premature, however. Carranza and Villa began to quarrel. The conditions within the country became, if possible, worse than before. President Wilson, as a result of a conference of several South American countries, decided to recognize the Carranza rule as the *de facto* Government. Villa, spurred on by the evident preference for Carranza and doubtless by German money and propaganda, crossed the American border and raided the town of Columbus, New Mexico. A punitive expedition under the command of General Pershing was ordered to follow him, with the consent of Carranza. This had no practical effect beyond driving Villa and his followers a little farther from the border. Further raids proved the necessity for additional forces on the border, and President Wilson in 1916 ordered the entire State National Guard to the Mexican boundary. After a year of comparative inactivity they were withdrawn, and the policy of 'watchful waiting' was resumed. In 1917 Carranza was duly elected President for a period of four years, but his rule was abruptly cut short by a revolt in 1920, which resulted in his assassination. The country remained in a wretched condition, with very little prospect of a return to peace and prosperity.

THE EUROPEAN WAR

While the United States was engrossed with her Mexican troubles and problems of a domestic nature, a train of events started in Europe which culminated in the terrible catastrophe of a world-wide war. Archduke Francis Ferdinand, the heir-apparent to the Austrian throne, was assassinated by a Serbian nationalist at Serajevo, the capital of Bosnia, a province of Austria. Austria demanded satisfaction from Serbia, and when the Serbian reply did not entirely satisfy her impossible demands declared war upon the Slav state on July 28, 1914. Meantime Russia had begun to mobilize her army in support of Serbia, and Germany, affecting to regard this as a menace directed against herself, declared war on Russia on August 1. Before the end of the ensuing week France, Great Britain, and Montenegro had ranged themselves with Russia and Serbia. Japan joined the Allies at the end of August, and Turkey cast

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in her lot with the Central Powers in November. Belgium was dragged into the War because Germany determined to violate her territory as a short cut to the invasion of France. This act of international injustice was the deciding factor in drawing Great Britain into the War. Italy declined to join her partners in the Triple Alliance on the ground that they had not been attacked, and in May 1915 she decided to support their enemies.

President Wilson issued a formal proclamation of neutrality on August 4, and a short time later he addressed the entire nation and asked it to be neutral in word and deed. Prominent leaders of American thought took the same point of view and urged the American people to withhold judgment of either set of belligerents until all the facts were available and the natural passions of men had cooled. Many Americans found this advice particularly hard to follow, and before long the racial characteristics of the complex population came to the fore, and both sides found ardent supporters and enthusiasts within the boundaries of the United States. Undoubtedly a vast majority of the people laid the blame for the outbreak directly at the door of the German Kaiser, Wilhelm II, who, they felt, could have prevented the conflagration had he so desired. This opinion was gradually strengthened as the various official publications concerning the War were issued in America.

At first the economic effects of the War on the United States were particularly disturbing. The condition of business, already bad, was made a great deal worse. Stock exchanges declared moratoriums, American securities held abroad were rapidly liquidated, and gold flowed abroad from American vaults at an alarming rate. This disquieting situation lasted a comparatively short time, however. The British Navy soon drove the Germans from the sea, and American commerce with the Allies and neutral nations grew by leaps and bounds. The Allied demand for food, munitions, and war supplies of all kinds kept American mills working overtime to their full capacity to meet the ever-increasing shortage in war-stricken Europe. Germany protested against the supplying of one group of belligerents with war material and not the other,

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but the American Government replied that this was common international practice and that Germany herself had acted similarly during former wars. Germany's failure to gain her ends through diplomatic channels was followed by a series of illegal attempts to check American export trade to the Allies. Bombs were placed in ships and munition plants, American labour was tampered with in an attempt to decrease production, fraudulent papers were used to get goods to Germany, and a widespread misleading propaganda was carried out under the leadership of the German *chargé d'affaires*, Dr Bernhard Dernburg. For their connexion with these gross violations of international law Dr Dumba, the Austrian ambassador, and Captains von Papen and Boy-Ed, the German military and naval *attachés* at Washington, were recalled at the request of President Wilson.

While these acts on the part of German sympathizers and officials gradually tended to turn the American public against the Central Powers, causes of friction were also arising between the United States and the Allies. These were mainly a consequence of the absolute control of the seas by the British fleet. When Germany discovered that she was unable to break this barrier she resorted to securing her necessities through neutrals, such as Holland and the Scandinavian countries. The result was that American exports to these countries increased to a very great extent. Great Britain thereupon began to regulate the trade of these countries, and the result was a severe limitation of the quantities of war material that Germany was able to get. Great Britain adopted the doctrine of ultimate destination as justification for seizing these goods bound for a neutral country, and quoted a decision of the Supreme Court of the United States which upheld the right of the North to seize goods going into the Confederacy by way of Mexico. Many American cargoes were seized and held in British prize courts for a long time. The United States protested in a mild fashion on December 26, 1914, but the policy was not abated. Americans were also incensed at the stoppage by British war vessels of mails bound for neutral countries, but protests were of no avail.

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What the outcome of these difficulties would have been had not other difficulties of a far more serious nature appeared, it is impossible to state. On February 4, 1915, Germany announced to the world that on and after February 18 the waters round the British Isles would be considered a war zone, and that all enemy vessels encountered in these waters would be destroyed, even if it were not possible to save the crew and the passengers. On February 10 the American Government vigorously protested against this clear violation of international law and warned Germany that she would be held to "a strict accountability" for any loss of American lives or property. Germany replied that this action was forced upon her by the British naval policy and was purely and simply a retaliatory measure, and that she would not be responsible for "any unfortunate accidents that might occur." The American Government then proposed that Great Britain should permit foodstuffs for the civil population to enter Germany and that Germany should abandon her unrestricted submarine warfare. Neither suggestion was acted upon. Great Britain's reply to the new German movement was an order that all vessels carrying goods which presumably might be intended for the enemy would be taken into port and examined. Any contraband discovered would be liable to confiscation.

Despite the protest from the United States and other neutrals, Germany put her plan of ruthless submarine warfare into operation on February 18. Within a very few weeks many vessels, belligerent and neutral, were sunk by submarines. The vessels in some cases were given warning, but in many they were not. No provision was made for the safety of the passengers or crews. They were compelled to take their chances on the open sea in small boats. In the latter part of March the British steamer *Falaba* was torpedoed with the loss of one American citizen. On May 1 the American tank steamship *Gulflight* was torpedoed without warning, and two members of her crew were drowned. The high point in the ruthless submarine warfare was reached when the gigantic passenger ship *Lusitania* was sunk without excuse. The news was received with wild rejoicing throughout Germany, but it

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stirred the souls of the Americans and the Allies to their very depths. The dastardly crime against humanity resulted in the loss of nearly 1200 lives ; of those drowned 114 were Americans. The German ambassador, Count von Bernstorff, was instructed by his Government " to express its deepest sympathy at the loss of lives on board the *Lusitania*. The responsibility rests, however, with the British Government, which, through its plan of starving the civilian population of Germany, has forced Germany to resort to retaliatory measures." On top of these expressions of regret Germany attempted unsuccessfully to prove that the *Lusitania* was armed and carried huge stores of munitions.

The action that the American Government would take was anxiously awaited by the public. An insistent undercurrent was running in popular opinion, demanding that the United States should declare war. The note to Germany which was written by President Wilson himself was a strong one. It affirmed the right of American citizens to travel on the high seas and emphasized the impossibility of using submarines as a method of warfare " without an inevitable violation of many sacred principles of justice and humanity." The American Government expected Germany to disavow the outrages committed by her undersea craft and to make reparation as far as it was possible. The closing sentence was pregnant with meaning : " The Imperial German Government will not expect the Government of the United States to omit any word or act necessary to the performance of its sacred duty of maintaining the rights of the United States and its citizens and of safeguarding their free exercise and enjoyment." The German reply was very unsatisfactory. The sinking of the *Lusitania* was excused on the ground of just self-defence. Public opinion now felt that an ultimatum would be delivered to Germany. This feeling was heightened when William J. Bryan, the Secretary of State, resigned rather than sign the new note. He was succeeded by Robert Lansing. The second note, however, was merely a reiteration of the previous American petition. After waiting a month the Germans replied in a very evasive manner. The third American note,

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July 21, stated that the German replies were very unsatisfactory and that further submarine sinkings would be considered "deliberately unfriendly." In diplomatic language this phrase smacked strongly of war. One appreciable result of the exchange of notes was the modification of the ruthless submarine warfare along the lines demanded by the American Government. For example, when the *Arabic* was sunk without warning on August 19, 1915, with the loss of two American lives, the German Government disavowed the act and agreed to make reparations for the loss of American lives. This change of heart was hailed by many Americans as a great diplomatic victory, but others felt that it was only of a temporary nature, and that if the occasion again arose there would be a repetition of the *Lusitania* crime. The sinking of the *Ancona*, an Italian steamship, in the Mediterranean by a submarine flying the Austrian flag opened up the entire controversy with that nation, and it was only after long-drawn-out arguments that she agreed to comply with the American demands.

During the winter months of 1915-16 the German submarine warfare continued on an abated scale and without involving her in further difficulties with the United States. A movement was carried on through the country to bring about preparedness for the war which was inevitable according to all indications. President Wilson's apparent unsympathetic attitude toward the preparedness movement led to the resignation of Lindley M. Garrison, the Secretary of War. He was succeeded by Newton D. Baker, ex-mayor of Cleveland, Ohio, and a pacifist. The arming of merchantmen by the Allies led to the introduction of a resolution in the House of Representatives designed to keep Americans off such vessels, but President Wilson opposed the measure and it was defeated. On March 24, 1916, the Channel steamer *Sussex* was torpedoed without warning, again with the loss of two American lives. On April 10 the German Government denied responsibility, but in reply the President sent a note to Germany which was clearly in the nature of an ultimatum. He stated that unless the German Government immediately declared and effected

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an abandonment of its present methods of submarine warfare against passenger and freight-carrying vessels the Government of the United States would have no other choice but to sever diplomatic relations with the German Empire. The German reply to this note stated: "In accordance with the general principles of visit and search and the destruction of merchant vessels recognized by international law, such vessels, both within and without the area declared a naval war zone, shall not be sunk without warning and without saving human lives, unless the ship attempts to escape or offer resistance." The German note reserved for itself liberty of action in case the British Government failed to live up to the recognized principles of international law as in effect before the War. The American Government immediately replied that the continuance of this new policy of submarine war could not be "contingent upon the conduct of any other government affecting the rights of neutrals and non-combatants." This apparent acceptance of the American point of view lulled the demand for war in the United States for the time being.

In the midst of these disturbed international relations the Presidential election of 1916 approached. The progressive and Republican parties met in Chicago on June 7, 1916. Both hoped that the two factions would be able to join together and unite in nominating one candidate. The progressives wanted to nominate Roosevelt, but the Republicans absolutely refused to accept the man who, they claimed, disrupted the party in 1912. The result was that the Republicans nominated Justice Charles E. Hughes of the Supreme Court and the progressives nominated Roosevelt. The Republican platform demanded neutrality in the European war, peace in Mexico, preparedness, and woman's suffrage. The progressives demanded adequate preparedness, labour legislation, and national control of industry and transportation. Roosevelt later withdrew as a candidate and urged the progressives to unite with the Republicans and defeat the Democrats.

The Democratic convention met in St Louis on June 14, and renominated Wilson and Marshall by acclamation. The platform was a eulogy of the deeds of the administration both

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at home and abroad. The ensuing campaign revolved around President Wilson's foreign policy. Hughes and Roosevelt toured the country and made bitter attacks upon it. The Democrats defended it and adopted the slogan "He kept us out of war." In the midst of the campaign a serious condition was forced upon the country by the demands of the railway employees for an eight-hour day and other concessions. The crisis was avoided by the passage of the Adamson Eight-hour Act, which granted the men practically what they desired.

The election was very close, and the result was not known for several days. It finally appeared that Wilson had received 9,128,837 votes and Hughes 8,536,380. The electoral vote was 277 to 254. For the first time a candidate had been selected without carrying any of the large states. The Republicans received a large amount of satisfaction from the fact that the breach in the party had been healed.

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The next move in the War as it affected the United States was the sending of a note by Germany to neutral nations proposing a peace conference. Two days later (December 18, 1916) President Wilson requested all the belligerents to state "their respective views as to the terms upon which the War might be concluded, and the arrangements which would be deemed satisfactory as a guarantee against its renewal." This identical note received replies from both groups of belligerents, but achieved nothing. On January 22, 1917, President Wilson addressed the Senate and communicated the results of his efforts to obtain peace. He then announced that the United States was vitally concerned in the peace terms. He stated that the peace must satisfy the entire world and must be secured by the "organized major force of mankind." Freedom of the seas, justice to small nations, and a peace based on the principle that Governments derive their just powers from the consent of the governed must be secured. "These are American principles, American policies. We can stand for no others. And they are also the principles of forward-looking men and women everywhere, of every blood

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and nation, of every enlightened community. They are the principles of mankind, and must prevail."

The growing concern of the United States in the War and the practical ignoring of her efforts to make peace in December determined Germany to make one final effort to crush the Allies. The form her new attack took was the announcement of an absolutely unrestricted submarine warfare. The note was issued on January 31, 1917, and was to take effect the next day. The waters surrounding the British Isles, France, and Italy, and the greater part of the Eastern Mediterranean Sea were declared to be barred zones, and any vessel travelling in this zone, whether belligerent or neutral, was to be sunk at sight. One American vessel per week would be permitted to sail to Falmouth, England, provided that it followed a special route, that the American Government guaranteed that it carried no contraband of war, and that its hull was painted red, white, and blue.

President Wilson took immediate action on receipt of this announcement. On February 3 he ordered that Count von Bernstorff be given his passports and that the American ambassador at Berlin, Gerard, should sail for home. On the same day he appeared before Congress and explained his point of view. He sketched the history of submarine warfare and cited the promise of Germany given after the sinking of the *Sussex* that she would in future abide by the rules of international law before sinking vessels. He stated that the American Government could do nothing else than sever diplomatic relations, although he did not believe that Germany would carry out her threat. Only an "overt act" would make him believe that she would go so far.

Germany clearly showed by her acts that she intended to put the provisions of the note of January 31 into effect, but none of her acts was construed by the President as an overt act. Nevertheless, the President appeared before Congress on February 26 and asked for specific authorization to arm American merchantmen. A small minority in the Senate, called by the President "wilful men," was able to block the measure until Congress closed on March 4. Despite this

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setback the President found sufficient power in existing statutes to carry out his plans. It was soon made very clear that war between the two countries was inevitable and merely a question of time. On March 1 the American State Department published a note from the German Government to the German ambassador in Mexico. Mexico was to attack the United States and reconquer Arizona, New Mexico, and Texas. Mexico was to attempt to persuade Japan to make peace with Germany and to declare war on the United States. Naturally the news of this intrigue raised the war spirit to a higher pitch.

On March 4 Wilson was inaugurated for the second time. In his inaugural address he expressed a desire for peace, as well as the fear that the United States would be drawn into the struggle. He reiterated the terms which he considered must be the basis of a desirable peace. Shortly afterward news came to America that the Tsar of Russia had been overthrown and a republic established. The new Russian Government was almost immediately recognized by the United States.

Germany lost no opportunity to carry out the provisions of her ruthless unrestricted submarine warfare. American ships were sunk and American lives were lost. Feeling that the overt acts had been committed, President Wilson summoned a special session of Congress for April 2. When Congress assembled he appeared before it and outlined again the history of the submarine warfare. He stated that vessels of all kinds and nations had been ruthlessly sunk, international law swept away, and non-combatants destroyed. He asked Congress to accept the state of war which Germany had thrust upon the United States. He urged co-operation with the Allies and the placing of the army and navy in a state of efficiency. He made a distinction between the German Government and the German people, declaring that the United States had no cause for quarrel with the latter. He stated that the United States had no desire for conquest, but would fight for world-peace and the liberation of all peoples. "The world must be safe for democracy. Its peace must be planted upon the tested foundations of political liberty."

Congress acted almost immediately. The House and Senate,

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by votes of 373 to 50 and 82 to 6, passed a resolution ratifying the Government's decision. This was signed by the President on April 6, 1917, and the United States and Germany were thus officially at war. The entire nation entered the War with a unity and enthusiasm that probably would not have been possible at an earlier stage of the great conflict. On the other hand, the United States was absolutely unprepared for war. Her army was woefully unprepared, as was the Navy. The necessary agencies for building up a huge war machine were completely lacking and had to be constructed from the bottom up. The Allies did much to aid in this organization work by sending over various commissions to advise and instruct. The central agency round which the huge machine was created was the Council of National Defense, which had been created in August 1916, when it was fairly evident that the United States was going to be drawn into the vortex of war. This was composed of seven Cabinet members, with the Secretary of War as chairman. It was assisted by an advisory commission of experts familiar with the industries that would be of most importance in the prosecution of the War. Several boards and commissions were established to conduct efficiently certain phases of the conflict. The United States Shipping Board was to provide ships for cargoes and troops and was to build ships "faster than the submarines could sink them." The Committee on Public Information disseminated news concerning the War and maintained a corps of speakers who took part in campaigns to raise money, etc. The War Industries Board was responsible for developing and producing the vast supplies needed to support the war machine. The National Research Council gathered the scientific talent of the country and directed its efforts toward bringing the War to a successful conclusion. A Labor Commission was created to induce labouring men and women to forget their difficulties with capital and to work whole-heartedly toward successfully terminating the struggle. One of the most important agencies created was the United States Food Administration. It was placed in the charge of Herbert C. Hoover, who had had considerable experience in connexion with relief measures

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for Belgium. Through widespread advertising, by urging conservation, and by co-operating with the individual families throughout the country he was able to send thousands of tons of food-products to Europe. The work of the Food Administration was doubly important, because the activities of the submarine had left Europe sorely in need of supplies. A Fuel Administration was established to economize in the use of fuel, so that the maximum amount could be used for military purposes. As soon as it was shown that the railroads of the country were not able to solve the vast transportation problems thrust upon them by the War they were taken over by the Government and put in the hands of the United States Railroad Administration, under the direction of W. G. McAdoo, the Secretary of the Treasury. He merged the railways of the country into one great system, abolished competition, standardized equipment, and managed them solely with a view to efficiency. Rates were raised and passenger services curtailed, but the roads were an effective adjunct in the building of the war machine. A War Risk Insurance Bureau was established. Allowances were made to dependents of men on service. Provision was made for taking care of men injured on service, and a Government insurance was provided in case of death or total disability. This was designed to do away with the pension abuses that had usually followed in the wake of previous wars.

The problem of financing the War was a stupendous one. It was inevitable that the creation of a war machine on a gigantic scale would require unprecedented sums of money. Not only would vast sums of money be used at home, but provision had to be made for the lending of considerable sums abroad. From the outset it was seen that it would be impossible to raise the money by taxation, and that borrowing would have to be largely resorted to. Certificates of indebtedness, war savings stamps, and bonds were the means used to borrow money. The sale of bonds was the most effective by far. Five popular subscriptions were opened, and every one of them was successful to an unexpected degree. The first four were called Liberty Loans, and the last one the Victory Loan.

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The first loan was for \$2,000,000,000, and \$3,035,000,000 was offered ; the second for \$3,000,000,000, and \$4,617,532,300 was offered ; the third for \$3,000,000,000, and \$4,176,516,850 was offered ; the fourth for \$6,000,000,000, and \$6,989,047,000 was offered ; the fifth was for \$4,500,000,000, and \$5,249,908,300 was offered. In order to make the present generation help to bear the cost of the War taxation was increased to a large extent. The income tax was increased, as were all internal duties ; new excise taxes were levied ; and an excess profits tax, ranging from 20 to 60 per cent., was put into operation by the War Revenue Act of October 1917. These taxes were increased from time to time, and, with the loans, were at all times sufficient to meet the costs of the War in the United States and to supply the Allies with much-needed money.

The entrance of the United States into active participation in the War was marked by sending a part of the Navy to European waters. Admiral William S. Sims had been sent to Great Britain soon after the severance of diplomatic relations, and after the declaration of war he was placed in command of American vessels in foreign waters. He worked in close harmony with his Allied associates. Three weeks after war was declared a small American force was abroad, co-operating with the Allies in combating the dreaded submarine. The American Navy, although small, was well equipped and prepared for war when it actually came. More and more units were sent abroad, until at the close of the War 75,000 American seamen were serving in European waters. The American fleet increased by leaps and bounds. Construction of new ships was augmented and rushed. Vessels were bought abroad, commandeered, or borrowed at home. Training stations were established at every available point, and at the close of the War more than 2000 ships and nearly half a million men were in the service of the Navy. The advent of the Navy into the War made it possible to convoy merchant vessels and transports through the danger zone, and this elaborate convoy system and the invention of the depth-bomb soon sounded the death-knell of the submarine. The American

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fleet convoyed almost one-half of the two million fighting men that were sent to France. It also played a prominent part in the laying of mine barrages round the North Sea, in which it was hoped to confine the submarines. The transportation of supplies required the services of nearly 35,000 men and practically all the vessels that the United States Shipping Board could supply.

The supplying of men for the Army was provided for in the Act of May 18, 1917. It raised the Regular Army to almost half a million men, Federalized the State Militia, and authorized the raising of a National Army by means of a selective Draft Act. The first Draft Act provided for the calling up of men between the ages of twenty-one and thirty, and was arranged in classes in such a manner that the least possible harm would be done to industry. The vast number of officers required for the greatly enlarged army was supplied largely from officers' training camps scattered throughout the country. Thirty-two huge cantonments, capable of holding 40,000 men apiece, were established, and officers and men from the Allied armies were sent to help to train the American soldiers in the art of modern warfare. New branches of the War Department were established to deal with fresh appurtenances of warfare, such as aircraft, tanks, poison gas, and motor-lorries.

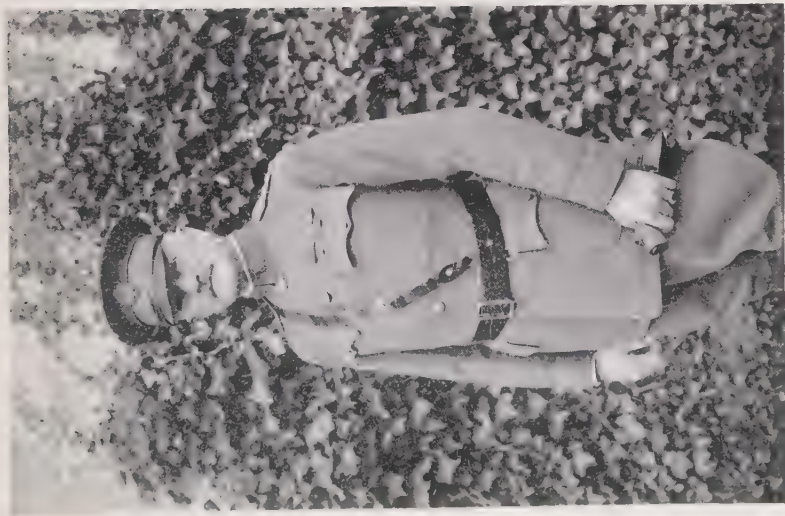
General John J. Pershing was sent abroad soon after the opening of hostilities to prepare the way for the first troops of the American Expeditionary Force. He was followed in June by the first division of fighters. Undoubtedly this was much earlier than the German War Lords had expected to find American soldiers on the battle front. As the American forces rapidly increased in numbers an efficient supply system was developed. Troops were trained behind the Allied lines, and as their training was completed they were placed in quiet sectors of the battle front. They were unable, however, to be of much service to the Allies when the Germans began their great drive in March 1918, but by June their numbers were felt and the tide of battle gradually turned against Germany. To provide more men the age limits of the Draft Act were

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changed from twenty-one and thirty to eighteen and forty-five. This added more than 13,000,000 men to the potential fighting strength of the country.

It would be impossible in a work of this kind to follow the movements of the American troops in France, particularly as they were so intimately connected with those of the Allied armies. A small force operated in Italy, another in Northern Russia, another in Siberia, and two divisions were brigaded with the British on the Western front. The bulk of the two million men that were ultimately transported to Europe were mingled with the French or given sectors of their own. Fighting with their allies, the American soldiers made a great record for themselves on the Hindenburg Line, at Cantigny and Château-Thierry and elsewhere. The first real all-American movement occurred in September 1918, when a force numbering more than half a million men crushed the Saint-Mihiel salient. This was followed by the brilliant Meuse-Argonne drive, which was a part of Marshal Foch's grand offensive. The drive continued up to November 11, when the Germans signed the armistice which ended hostilities.

The first definite attempt to bring about peace after the entrance of the United States into the War was that of Pope Benedict XV. In August 1917 the Pope sent an identical note to all the belligerents, in which he stated that "the material force of arms shall give way to the moral force of right." For the settlement of the War he suggested absolute freedom of the seas and the mutual restoration of all territory that had changed hands during the War. His message was severely criticized throughout Allied countries for its failure to place on Germany the blame for beginning the War. President Wilson, who was the acknowledged leader of Allied diplomacy, replied to the Pope on August 27. "It is manifest that no part of the programme can be successfully carried out unless the restitution of the *status quo ante* furnishes a firm and satisfactory basis for it." He further stated that peace must be between peoples and not with the autocratic German Government. "We cannot take the word of the present rulers of Germany as a guarantee of anything that is to



GENERAL JOHN J. PERSHING
 Commander-in-Chief of the American Expeditionary Forces
Topical Press Agency



AN AMERICAN BATTERY IN THE ARGONNE
Topical Press Agency

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endure unless explicitly supported by such conclusive evidence of the will and purpose of the German people themselves as the other peoples of the world would be justified in accepting. Without such guarantees, treaties, . . . if made with the German government, no man, no nation, can now depend upon." The Press and statesmen throughout the Allied countries enthusiastically endorsed President Wilson's position.

The next important step in the peace movement was the deliverance of President Wilson's famous 'fourteen points' message to Congress on January 8, 1918. His fourteen points included 'open diplomacy,' absolute freedom of the seas, the removal of economic barriers between nations, the reduction of armaments, the absolutely impartial adjustment of colonial claims, the evacuation of Russian territory, the evacuation and restoration of Belgium, the evacuation of French territory and the righting of the wrong done to France in 1871, the readjustment of the frontiers of Italy, self-determination for the people of Austria-Hungary, the evacuation and restoration of Rumania, Serbia, and Montenegro, with access to the sea for Serbia, internationalization of the Dardanelles, and self-determination for the subject peoples of Turkey, an independent Polish state, and a League of Nations. The President's fourteen points were accepted with surprising unanimity throughout the entire Allied world.

Other peace proposals were suggested during the spring and summer of 1918, but no tangible result ensued. After all, it was pretty well understood that the only peace which would end the War must be brought about on the battlefield. While the Germans were still in a strong position they arrogantly refused to consider any peace measures that would fix responsibility for the War on them or that would interfere with their plan of world-conquest. When the fortunes of war began gradually to go against them they were anxious to bring about peace as rapidly as possible. Conditions among the Central Powers were frightful. Their man-power was rapidly being expended, food was scarce and poor, and revolution was an ever-present danger. The continual insistence on the part of the Allies that no lasting peace could be made with the

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Imperial German Government greatly weakened its hold on the people, and before the German armies were ultimately defeated rumours were fairly prevalent that the Kaiser was about to abdicate.

The surrender of Bulgaria and the fall of the German Government (September 30, 1918) clearly presaged the beginning of the end. On October 4 the new German Chancellor, Prince Max of Baden, requested President Wilson to open peace negotiations on the basis of his "fourteen points." After being assured that the new German Government was speaking on behalf of the German people, the Inter-Allied Council met at Versailles and drew up an armistice which was accepted by the Germans on November 11. The Bulgarians, Turks, and Austrians had already withdrawn from hostilities.

On November 18 it was announced that President Wilson would personally attend the Peace Conference, which was to be held in Paris. The other members of the American delegation as announced later were Secretary of State Lansing, Henry White, formerly ambassador to France, Colonel Edward M. House, a trusted personal adviser of the President, and General Tasker H. Bliss. It should be mentioned at this point that President Wilson and his party had suffered a considerable political defeat in the election which occurred in this November. The Republicans gained control of both houses of Congress and carried a majority of the state elections as well.

Despite this political setback at home, President Wilson was received enthusiastically wherever he went. He became one of the chief leaders of the Peace Conference, and, with the English Premier, Mr Lloyd George, M. Clemenceau of France, and the Italian Premier, Signor Orlando, was instrumental in making all the big decisions that faced the conference. Lack of space makes it impossible to go into the details of the Peace Conference; it must suffice to say that the chief issues were the League of Nations, the Fiume dispute, the Shantung question, territorial claims, and financial indemnities. The policy was adopted of keeping the Central Powers away from the Peace Conference until the treaty was finally drawn up.

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Germany accepted the provisions, and her delegates officially signed the document on June 28, 1919. Ratifications of the Treaty of Versailles were exchanged, and peace between Germany, France, Great Britain, and the other Allied and Associated Powers, with the exception of the United States, became effective on January 10, 1920.

President Wilson returned to the United States shortly after the finishing of the treaty, and on July 10, 1919, appeared before the Senate and submitted the document for its consideration. The treaty seemed to interest the Senate merely as it affected the League of Nations. The reparations demanded from Germany and the territorial provisions received scarcely any attention whatever. The discussion over the League of Nations was long and bitter, completely overshadowing the weighty problems of reconstruction. The problems of the absorption of the millions of soldiers and sailors and labourers who were engaged in the production of war materials into industry, the question of the tariff, prohibition,¹ woman suffrage,² the readjustment of the relationship between the various branches of the Federal Government, and the financial question were all allowed to slumber while the Republicans and the Democrats fought over the League of Nations issue. The only real piece of constructive legislation that was passed during this period was the Esch-Cummins Bill, which provided for the return of the railroads to private hands on March 20, 1920. The chief provisions of this measure were the enlargement of the commission to eleven members, the power to fix rates so as to give the railroads a return of $5\frac{1}{2}$ per cent. on the estimated value of the roads, and the power of supervision over all stock and bond issues. A railway labour board was created to settle labour disputes, a 'revolving' fund was established to lend money to the roads, and interlocking directorates were prevented after December 31, 1921.

The debate in the Senate on the treaty was open to the

¹ The prohibition amendment to the Federal Constitution took effect on January 16, 1920.

² A woman-suffrage amendment was ratified on August 25, 1920.

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public, and aroused considerable interest throughout the country. The discussion was in the main partisan, the Republicans being opposed to ratification without amendments or reservations, and the Democrats being in favour of ratification as the treaty stood. The treaty debate began on July 14, and lasted almost without interruption until the long session of the sixty-sixth Congress ended in November 1919. It began again in the short session, which met in December and ended in March 1920. The administration forces were led by Senators Swanson of Virginia and Hitchcock of Nebraska, while the chief opponents of the document were Lodge of Massachusetts, Borah of Idaho, and Johnson of California. President Wilson and his supporters were determined to force the treaty through without amendments or reservations of any description, while the opposition were just as determined to amend the League of Nations covenant, particularly Article X. Neither side was strong enough to force its point of view on the other.

The Senate committee on foreign affairs reported the treaty on September 10, 1919, with thirty-eight amendments and four reservations. President Wilson determined to take the issue directly to the people when this assault on it was expected. He started on a speaking tour on September 3, during which he vigorously upheld the League of Nations covenant. On September 26 he was suddenly stricken with an apoplectic stroke and compelled to abandon his tour and remain secluded for months under the constant care of specialists. On October 22, 23, and 24 the Senate committee reported fourteen revised amendments designed to take the place of those adopted on September 10. A vote was finally taken on the treaty with the Lodge amendments on November 19. In its amended form the treaty was rejected by a vote of 55 to 39. After a further discussion in the next session of Congress the treaty was again decisively defeated by a vote of 49 to 35, many votes short of the necessary two-thirds for ratification. Despite a growing desire to reach a compromise on the treaty, both sides were compelled to leave the question to a "solemn referendum" of the people in the Presidential election of 1920.

WOODROW WILSON

THE ELECTION OF 1920

The Republican convention met in Chicago in June and nominated Warren G. Harding, United States senator from Ohio, for the Presidency. Calvin Coolidge, governor of Massachusetts, was chosen for his 'running mate.' The Democrats held their convention in the following month at San Francisco and selected Governor James M. Cox of Ohio and Franklin D. Roosevelt, Assistant Secretary of the Navy, for the Presidency and Vice-Presidency respectively. The attempt to hold a solemn referendum on the League of Nations issue was a complete failure. The Republicans condemned the terms of the League as drawn up at Versailles, but stoutly maintained that they favoured an international agreement to prevent war. Senator Harding himself was very non-committal on the subject. He did not state whether he intended to throw over the League covenant entirely or whether he intended to modify its provisions to meet his ideas. The Democratic platform asked "the immediate ratification of the treaty without reservations which would impair its essential integrity." The vagueness of this phraseology permitted the Democrats to appeal to the opponents of 'the' League as well as to its firm supporters. The Republicans also so stated their demands that they could appeal to the proponents of 'the' League as well as to the opponents of it. Cox stated that he favoured the United States becoming a member of the League "without closing the door to mild reservations." The League issue became so befuddled that in reality it was no issue at all. In fact, the entire election was devoid of real issues and was settled largely on the question, Do the voters of the United States desire the Republicans or the Democrats to be in power after March 4, 1921? The answer to this question was emphatic. Senator Harding and Governor Coolidge were elected by one of the greatest 'landslides' the country had ever witnessed. They carried 37 states and had an electoral vote of 404. Governor Cox and Mr Roosevelt carried eleven Southern states and had an electoral vote of 127. The popular vote was 16,181,289 to 9,141,750. The

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House of Representatives and the Senate were carried overwhelmingly by the Republicans. The election of the Republicans made the entrance of the United States into the League of Nations and world politics in general an uncertainty, but by no means an impossibility. Time alone can decide these questions.¹

¹ A separate treaty of peace, embracing most of the provisions of the Treaty of Versailles, was signed by Germany and the United States on July 2, 1921, and ratifications exchanged in November of the same year.

APPENDICES

I

DECLARATION OF INDEPENDENCE ¹

IN CONGRESS, JULY 4, 1776

A DECLARATION BY THE REPRESENTATIVES OF THE UNITED STATES OF AMERICA, IN CONGRESS ASSEMBLED

WHEN, in the course of human events, it becomes necessary for one people to dissolve the political bands which have connected them with another, and to assume, among the powers of the earth, the separate and equal station to which the laws of nature and of nature's God entitle them, a decent respect to the opinions of mankind requires that they should declare the causes which impel them to the separation.

We hold these truths to be self-evident: That all men are created equal; that they are endowed by their Creator with certain unalienable rights; that among these are life, liberty, and the pursuit of happiness. That, to secure these rights, governments are instituted among men, deriving their just powers from the consent of the governed; that, whenever any form of government becomes destructive of these ends, it is the right of the people to alter or to abolish it, and to institute a new government, laying its foundation on such principles, and organizing its powers in such form, as to them shall seem most likely to effect their safety and happiness. Prudence, indeed, will dictate, that governments long established should not be changed for light and transient causes; and accordingly all experience hath shown that mankind are more disposed

¹ The original copy of the Declaration of Independence is kept in the Department of State in Washington. The Declaration was adopted July 4, 1776, and was signed by the members representing the thirteen states August 2, 1776. John Hancock, whose name appears first among the signatories, was President of the Congress.

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to suffer while evils are sufferable, than to right themselves by abolishing the forms to which they are accustomed. But when a long train of abuses and usurpations, pursuing invariably the same object, evinces a design to reduce them under absolute despotism, it is their right, it is their duty, to throw off such government, and to provide new guards for their future security. Such has been the patient sufferance of these colonies ; and such is now the necessity which constrains them to alter their former systems of government. The history of the present King of Great Britain is a history of repeated injuries and usurpations, all having in direct object the establishment of an absolute tyranny over these states. To prove this, let facts be submitted to a candid world.

He has refused his assent to laws the most wholesome and necessary for the public good.

He has forbidden his governors to pass laws of immediate and pressing importance, unless suspended in their operation till his assent should be obtained ; and when so suspended, he has utterly neglected to attend to them.

He has refused to pass other laws for the accommodation of large districts of people, unless those people would relinquish the right of representation in the legislature—a right inestimable to them, and formidable to tyrants only.

He has called together legislative bodies at places unusual, uncomfortable, and distant from the depository of their public records, for the sole purpose of fatiguing them into compliance with his measure.

He has dissolved representative houses repeatedly, for opposing, with manly firmness, his invasions on the rights of the people.

He has refused, for a long time after such dissolutions, to cause others to be elected, whereby the legislative powers, incapable of annihilation, have returned to the people at large for their exercise ; the State remaining, in the mean time, exposed to all the dangers of invasions from without, and convulsions within.

He has endeavored to prevent the population of these States ; for that purpose obstructing the laws for the naturalization of foreigners ; refusing to pass others to encourage their migration hither, and raising the conditions of new appropriations of lands.

DECLARATION OF INDEPENDENCE

He has obstructed the administration of justice, by refusing his assent to laws for establishing judiciary powers.

He has made judges dependent on his will alone for the tenure of their offices, and the amount and payment of their salaries.

He has erected a multitude of new offices, and sent hither swarms of officers to harass our people and eat out their substance.

He has kept among us in times of peace, standing armies, without the consent of our legislatures.

He has affected to render the military independent of, and superior to, the civil power.

He has combined with others to subject us to a jurisdiction foreign to our constitutions, and unacknowledged by our laws ; giving his assent to their acts of pretended legislation :

For quartering large bodies of armed troops among us ;

For protecting them, by a mock trial, from punishment for any murders which they should commit on the inhabitants of these States ;

For cutting off our trade with all parts of the world ;

For imposing taxes on us without our consent ;

For depriving us, in many cases, of the benefits of trial by jury ;

For transporting us beyond seas, to be tried for pretended offences ;

For abolishing the free system of English laws in a neighboring province, establishing therein an arbitrary government, and enlarging its boundaries, so as to render it at once an example and fit instrument for introducing the same absolute rule into these colonies ;

For taking away our charters, abolishing our most valuable laws, and altering, fundamentally, the forms of our governments ;

For suspending our own legislatures, and declaring themselves invested with power to legislate for us in all cases whatsoever.

He has abdicated government here, by declaring us out of his protection, and waging war against us.

He has plundered our seas, ravaged our coasts, burned our towns, and destroyed the lives of our people.

He is at this time transporting large armies of foreign mercenaries to complete the works of death, desolation and tyranny, already begun with circumstances of cruelty and perfidy scarcely paralleled

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in the most barbarous ages, and totally unworthy the head of a civilized nation.

He has constrained our fellow-citizens, taken captive on the high seas, to bear arms against their country, to become the executioners of their friends and brethren, or to fall themselves by their hands.

He has excited domestic insurrection among us, and has endeavored to bring on the inhabitants of our frontiers the merciless Indian savages, whose known rule of warfare is an undistinguished destruction of all ages, sexes, and conditions.

In every stage of these oppressions we have petitioned for redress in the most humble terms; our repeated petitions have been answered only by repeated injury. A prince whose character is thus marked by every act which may define a tyrant is unfit to be the ruler of a free people.

Nor have we been wanting in our attentions to our British brethren. We have warned them, from time to time, of attempts by their legislature to extend an unwarrantable jurisdiction over us. We have reminded them of the circumstances of our emigration and settlement here. We have appealed to their native justice and magnanimity; and we have conjured them, by the ties of our common kindred, to disavow these usurpations, which would inevitably interrupt our connections and correspondence. They, too, have been deaf to the voice of justice and consanguinity. We must, therefore, acquiesce in the necessity which denounces our separation, and hold them, as we hold the rest of mankind, enemies in war, in peace friends.

We, therefore, the Representatives of the United States of America, in General Congress assembled, appealing to the Supreme Judge of the world for the rectitude of our intentions, do, in the name and by the authority of the good people of these colonies, solemnly publish and declare, That these united Colonies are, and of right ought to be, free and independent states; that they are absolved from all allegiance to the British crown, and that all political connection between them and the state of Great Britain is, and ought to be, totally dissolved; and that, as free and independent states, they have full power to levy war, conclude peace, contract alliances, establish commerce, and do all other acts and things which independent states may of right do. And, for the support of this declaration, with a firm reliance on the protection

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of Divine Providence, we mutually pledge to each other our lives, our fortunes, and our sacred honor.

The foregoing Declaration was, by order of Congress, engrossed, and signed by the following members :

JOHN HANCOCK

NEW HAMPSHIRE

JOSIAH BARTLETT
WILLIAM WHIPPLE
MATTHEW THORNTON

MASSACHUSETTS BAY

SAMUEL ADAMS
JOHN ADAMS
ROBERT TREAT PAINE
ELBRIDGE GERRY

RHODE ISLAND

STEPHEN HOPKINS
WILLIAM ELLERY

CONNECTICUT

ROGER SHERMAN
SAMUEL HUNTINGTON
WILLIAM WILLIAMS
OLIVER WOLCOTT

NEW YORK

WILLIAM FLOYD
PHILIP LIVINGSTON
FRANCIS LEWIS
LEWIS MORRIS

NEW JERSEY

RICHARD STOCKTON
JOHN WITHERSPOON
FRANCIS HOPKINSON
JOHN HART
ABRAHAM CLARK

PENNSYLVANIA

ROBERT MORRIS
BENJAMIN RUSH
BENJAMIN FRANKLIN
JOHN MORTON
GEORGE CLYMER
JAMES SMITH
GEORGE TAYLOR
JAMES WILSON
GEORGE ROSS

DELAWARE

CÆSAR RODNEY
GEORGE READ
THOMAS M'KEAN

MARYLAND

SAMUEL CHASE
WILLIAM PACA
THOMAS STONE
CHARLES CARROLL,
of Carrollton

VIRGINIA

GEORGE WYTHE
RICHARD HENRY LEE
THOMAS JEFFERSON
BENJAMIN HARRISON
THOMAS NELSON, JR.
FRANCIS LIGHTFOOT
LEE
CARTER BRAXTON

NORTH CAROLINA

WILLIAM HOOPER
JOSEPH HEWES
JOHN PENN

SOUTH CAROLINA

EDWARD RUTLEDGE
THOMAS HAYWARD,
JR.
THOMAS LYNCH, JR.
ARTHUR MIDDLETON

GEORGIA

BUTTON GWINNETT
LYMAN HALL
GEORGE WALTON

Resolved, That copies of the Declaration be sent to the several assemblies, conventions, and committees, or councils of safety, and to the several commanding officers of the continental troops ; that it be proclaimed in each of the United States, at the head of the army.

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II

CONSTITUTION OF THE UNITED STATES

PREAMBLE

WE, the people of the United States, in order to form a more perfect union, establish justice, insure domestic tranquillity, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this CONSTITUTION for the United States of America.

ARTICLE I. LEGISLATIVE DEPARTMENT

SECTION 1. CONGRESS

All legislative powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.¹

SECTION 2. HOUSE OF REPRESENTATIVES

Election of Members. The House of Representatives shall be composed of members chosen every second year by the people of the several States, and the electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State Legislature.

Qualifications. No person shall be a representative who shall not have attained to the age of twenty-five years, and been seven years a citizen of the United States, and who shall not, when elected, be an inhabitant of that State in which he shall be chosen.

Apportionment. Representatives and direct taxes shall be apportioned among the several States which may be included within this Union, according to their respective numbers,² which shall be determined by adding to the whole number of free persons, including those bound to service for a term of years, and excluding

¹ The term of each Congress is two years. It assembles on the first Monday in December and "expires at noon of the fourth of March next succeeding the beginning of its second regular session, when a new Congress begins."

² The apportionment under the census of 1910 is one representative for every 212,407 persons.

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Indians not taxed, three-fifths of all other persons.¹ The actual enumeration shall be made within three years after the first meeting of the Congress of the United States, and within every subsequent term of ten years, in such manner as they shall by law direct. The number of representatives shall not exceed one for every thirty thousand, but each State shall have at least one representative : and until such enumeration shall be made, the State of New Hampshire shall be entitled to choose three ; Massachusetts, eight ; Rhode Island and Providence Plantations, one ; Connecticut, five ; New York, six ; New Jersey, four ; Pennsylvania, eight ; Delaware, one ; Maryland, six ; Virginia, ten ; North Carolina, five ; South Carolina, five ; and Georgia, three.

Vacancies. When vacancies happen in the representation from any State, the executive authority ² thereof shall issue writs of election to fill such vacancies.

Officers. Impeachment. The House of Representatives shall choose their Speaker³ and other officers ; and shall have the sole power of impeachment.

SECTION 3. SENATE

Number of Senators : Election. The Senate of the United States shall be composed of two senators from each State, chosen by the Legislature thereof, for six years ; and each senator shall have one vote. [Repealed in 1913 by Amendment XVII.]

Classification. Immediately after they shall be assembled in consequence of the first election, they shall be divided as equally as may be into three classes. The seats of the senators of the first class shall be vacated at the expiration of the second year ; of the second class, at the expiration of the fourth year ; of the third class, at the expiration of the sixth year, so that one-third may be chosen every second year ; and if vacancies happen by resignation, or otherwise, during the recess of the Legislature of any State, the executive ² thereof may make temporary appointments until the next meeting of the Legislature, which shall then fill such vacancies.

Qualifications. No person shall be a senator who shall not have attained to the age of thirty years, and been nine years a citizen of

¹ The word ' persons ' refers to slaves. The word ' slave ' nowhere appears in the Constitution. This paragraph has been amended (Amendments XIII and XIV) and is no longer in force.

² Governor.

³ The Speaker, who presides, is one of the representatives ; the other officers—clerk, sergeant-at-arms, postmaster, chaplain, doorkeeper, etc.—are not.

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the United States, and who shall not, when elected, be an inhabitant of that State for which he shall be chosen.

President of Senate. The Vice-President of the United States shall be president of the Senate, but shall have no vote, unless they be equally divided.

Officers. The Senate shall choose their other officers, and also a president *pro tempore*, in the absence of the Vice-President, or when he shall exercise the office of President of the United States.

Trials of Impeachment. The Senate shall have the sole power to try all impeachments : When sitting for that purpose, they shall be on oath or affirmation. When the President of the United States is tried, the Chief-Justice shall preside : and no person shall be convicted without the concurrence of two-thirds of the members present.

Judgment in Case of Conviction. Judgment in cases of impeachment shall not extend further than to removal from office, and disqualification to hold and enjoy any office of honor, trust, or profit under the United States ; but the party convicted shall nevertheless be liable and subject to indictment, trial, judgment, and punishment, according to law.

SECTION 4. BOTH HOUSES

Manner of electing Members. The times, places, and manner of holding elections for senators and representatives shall be prescribed in each State by the Legislature thereof ; but the Congress may at any time, by law, make or alter such regulations, except as to the places of choosing senators.¹

Meetings of Congress. The Congress shall assemble at least once in every year, and such meeting shall be on the first Monday in December, unless they shall by law appoint a different day.

SECTION 5. THE HOUSES SEPARATELY

Organization. Each house shall be the judge of the elections, returns, and qualifications of its own members, and a majority of each shall constitute a quorum to do business ; but a smaller number may adjourn from day to day, and may be authorized to compel the attendance of absent members, in such manner, and under such penalties, as each house may provide.

¹ This is to prevent Congress from fixing the places of meeting of the state legislatures.

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Rules. Each house may determine the rules of its proceedings, punish its members for disorderly behavior, and, with the concurrence of two-thirds, expel a member.

Journal. Each house shall keep a journal of its proceedings, and from time to time publish the same, excepting such parts as may in their judgment require secrecy, and the yeas and nays of the members of either house on any question shall, at the desire of one-fifth of those present, be entered on the journal.

Adjournment. Neither house, during the session of Congress, shall, without the consent of the other, adjourn for more than three days, nor to any other place than that in which the two houses shall be sitting.

SECTION 6. PRIVILEGES AND DISABILITIES OF MEMBERS

Pay and Privileges of Members. The senators and representatives shall receive a compensation for their services, to be ascertained by law, and paid out of the treasury of the United States. They shall in all cases, except treason, felony, and breach of the peace, be privileged from arrest during their attendance at the session of their respective houses, and in going to and returning from the same; and for any speech or debate in either house, they shall not be questioned in any other place.

Prohibitions on Members. No senator or representative shall, during the time for which he was elected, be appointed to any civil office under the authority of the United States, which shall have been created, or the emoluments whereof shall have been increased, during such time; and no person holding any office under the United States shall be a member of either house during his continuance in office.

SECTION 7. METHOD OF PASSING LAWS

Revenue Bills. All bills for raising revenue shall originate in the House of Representatives; but the Senate may propose or concur with amendments as on other bills.

How Bills become Laws. Every bill which shall have passed the House of Representatives and the Senate shall, before it become a law, be presented to the President of the United States; if he approve, he shall sign it, but if not, he shall return it, with his objections, to that house in which it shall have originated, who shall enter the objections at large on their journal, and proceed to reconsider it. If after such reconsideration, two-thirds of that house shall agree to pass the bill, it shall be sent, together with the objections,

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to the other house, by which it shall likewise be reconsidered; and if approved by two-thirds of that house, it shall become a law. But in all such cases the votes of both houses shall be determined by yeas and nays, and the names of the persons voting for and against the bill shall be entered on the journal of each house respectively. If any bill shall not be returned by the President within ten days (Sundays excepted) after it shall have been presented to him, the same shall be a law, in like manner as if he had signed it, unless the Congress by their adjournment prevent its return, in which case it shall not be a law.

Resolutions, etc. Every order, resolution, or vote to which the concurrence of the Senate and House of Representatives may be necessary (except on a question of adjournment) shall be presented to the President of the United States; and before the same shall take effect, shall be approved by him, or being disapproved by him, shall be repassed by two-thirds of the Senate and House of Representatives, according to the rules and limitations prescribed in the case of a bill.

SECTION 8. POWERS GRANTED TO CONGRESS

Powers of Congress. The Congress shall have power :

To lay and collect taxes, duties, imposts, and excises, to pay the debts and provide for the common defense and general welfare of the United States; but all duties, imposts, and excises shall be uniform throughout the United States;

To borrow money on the credit of the United States;

To regulate commerce with foreign nations, and among the several States, and with the Indian tribes;

To establish a uniform rule of naturalization, and uniform laws on the subject of bankruptcies throughout the United States;

To coin money, regulate the value thereof, and of foreign coin, and fix the standard of weights and measures;

To provide for the punishment of counterfeiting the securities and current coin of the United States;

To establish post-offices and post-roads;

To promote the progress of science and useful arts, by securing, for limited times, to authors and inventors the exclusive right to their respective writings and discoveries;

To constitute tribunals inferior to the Supreme Court;

To define and punish piracies and felonies committed on the high seas, and offenses against the law of nations;

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To declare war, grant letters of marque and reprisal,¹ and make rules concerning captures on land and water ;

To raise and support armies, but no appropriation of money to that use shall be for a longer term than two years ;

To provide and maintain a navy ;

To make rules for the government and regulation of the land and naval forces ;

To provide for calling forth the militia to execute the laws of the Union, suppress insurrections and repel invasions ;

To provide for organizing, arming, and disciplining the militia, and for governing such part of them as may be employed in the service of the United States, reserving to the States respectively the appointment of the officers, and the authority of training the militia according to the discipline prescribed by Congress ;

To exercise exclusive legislation in all cases whatsoever over such district (not exceeding ten miles square) as may, by cession of particular States, and the acceptance of Congress, become the seat of the government of the United States,² and to exercise like authority over all places purchased by the consent of the Legislature of the State in which the same shall be, for the erection of forts, magazines, arsenals, dockyards, and other needful buildings ;—And

Implied Powers. To make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the government of the United States, or in any department or officer thereof.³

SECTION 9. POWERS FORBIDDEN TO THE UNITED STATES

Absolute Prohibitions on Congress. The migration or importation of such persons as any of the States now existing shall think proper to admit, shall not be prohibited by the Congress prior to the year one thousand eight hundred and eight, but a tax or duty may be imposed on such importation, not exceeding ten dollars for each person.⁴

The privilege of the writ of habeas corpus shall not be suspended,

¹ Letters granted by the Government to private citizens in time of war authorizing them, under certain conditions, to capture the ships of the enemy.

² The District of Columbia.

³ This is the famous elastic clause of the Constitution.

⁴ This refers to the foreign slave-trade. 'Persons' means 'slaves.' In 1808 Congress prohibited the importation of slaves. This clause is, of course, no longer in force.

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unless when in cases of rebellion or invasion the public safety may require it.

No bill of attainder¹ or ex-post-facto law² shall be passed.

No capitation or other direct tax shall be laid, unless in proportion to the census or enumeration hereinbefore directed to be taken.

No tax or duty shall be laid on articles exported from any State.

No preference shall be given by any regulation of commerce or revenue to the ports of one State over those of another ; nor shall vessels bound to, or from, one State, be obliged to enter, clear, or pay duties in another.

No money shall be drawn from the treasury but in consequence of appropriations made by law ; and a regular statement and account of the receipts and expenditures of all public money shall be published from time to time.

No title of nobility shall be granted by the United States : And no person holding any office of profit or trust under them, shall, without the consent of the Congress, accept of any present, emolument, office, or title, of any kind whatever, from any king, prince, or foreign state.

SECTION 10. POWERS FORBIDDEN TO THE STATES

Absolute Prohibitions on the States. No State shall enter into any treaty, alliance, or confederation ; grant letters of marque and reprisal ; coin money ; emit bills of credit ; make anything but gold and silver coin a tender in payments of debts ; pass any bill of attainder, ex-post-facto law, or law impairing the obligation of contracts, or grant any title of nobility.

Conditional Prohibitions on the States. No State shall, without the consent of the Congress, lay any imposts or duties on imports or exports, except what may be absolutely necessary for executing its inspection laws ; and the net produce of all duties and imposts, laid by any State on imports or exports, shall be for the use of the treasury of the United States ; and all such laws shall be subject to the revision and control of the Congress.

No State shall, without the consent of Congress, lay any duty of tonnage, keep troops, or ships-of-war, in time of peace, enter into

¹ A special legislative act by which a person may be condemned to death or to outlawry or banishment without the opportunity of defending himself which he would have in a court of law.

² A law relating to the punishment of acts committed before the law was passed.

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any agreement or compact with another State, or with a foreign power, or engage in war, unless actually invaded, or in such imminent danger as will not admit of delay.

ARTICLE II. EXECUTIVE DEPARTMENT

SECTION I. PRESIDENT AND VICE-PRESIDENT

Term. The executive power shall be vested in a President of the United States of America. He shall hold his office during the term of four years, and, together with the Vice-President, chosen for the same term, be elected, as follows :

Electors. Each State shall appoint, in such manner as the Legislature thereof may direct, a number of electors, equal to the whole number of senators and representatives to which the State may be entitled in the Congress : but no senator or representative, or person holding an office of trust or profit under the United States, shall be appointed an elector.

Proceedings of Electors and of Congress. [¹ The electors shall meet in their respective States, and vote by ballot for two persons, of whom one at least shall not be an inhabitant of the same State with themselves. And they shall make a list of all the persons voted for, and of the number of votes for each ; which list they shall sign and certify and transmit sealed to the seat of the government of the United States, directed to the president of the Senate. The president of the Senate shall, in the presence of the Senate and House of Representatives, open all the certificates, and the votes shall then be counted. The person having the greatest number of votes shall be the President, if such number be a majority of the whole number of electors appointed ; and if there be more than one who have such majority, and have an equal number of votes, then the House of Representatives shall immediately choose by ballot one of them for President ; and if no person have a majority, then from the five highest on the list the said house shall, in like manner, choose the President. But in choosing the President, the votes shall be taken by States, the representation from each State having one vote ; a quorum for this purpose shall consist of a member or members from two-thirds of the States, and a majority of all the States shall be necessary to a choice. In every case, after the choice of the President, the person having the greatest number of votes

¹ This paragraph in brackets has been superseded by the Twelfth Amendment.

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of the electors shall be the Vice-President. But if there should remain two or more who have equal votes, the Senate shall choose from them by ballot the Vice-President.]

Time of choosing Electors. The Congress may determine the time of choosing the electors, and the day on which they shall give their votes ; which day shall be the same throughout the United States.¹

Qualifications of President. No person except a natural born citizen, or a citizen of the United States at the time of the adoption of this Constitution, shall be eligible to the office of President ; neither shall any person be eligible to that office who shall not have attained to the age of thirty-five years, and been fourteen years resident within the United States.

Vacancy. In case of the removal of the President from office, or of his death, resignation, or inability to discharge the powers and duties of the said office, the same shall devolve on the Vice-President, and the Congress may by law provide for the case of removal, death, resignation, or inability, both of the President and Vice-President, declaring what officer shall then act as President ; and such officer shall act accordingly until the disability be removed, or a President shall be elected.²

Salary. The President shall, at stated times, receive for his services a compensation which shall neither be increased nor diminished during the period for which he shall have been elected, and he shall not receive within that period any other emolument from the United States, or any of them.

Oath. Before he enter on the execution of his office, he shall take the following oath or affirmation :—" I do solemnly swear (or affirm) that I will faithfully execute the office of President of the United States, and will, to the best of my ability, preserve, protect, and defend the Constitution of the United States."

SECTION 2. POWERS OF THE PRESIDENT

Military Powers ; Reprieves and Pardons. The President shall be commander-in-chief of the army and navy of the United States,

¹ The electors are chosen on the Tuesday next after the first Monday in the November preceeding the expiration of a Presidential term. They vote (by Act of Congress of February 3, 1887) on the second Monday in January for President and Vice-President. The votes are counted, and declared in Congress on the second Wednesday of the following February.

² This has now been provided for by the Presidential Succession Act of 1886.

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and of the militia of the several States, when called into the actual service of the United States ; he may require the opinion, in writing, of the principal officer in each of the executive departments, upon any subject relating to the duties of their respective offices ; and he shall have power to grant reprieves and pardons for offenses against the United States, except in cases of impeachment.

Treaties; Appointments. He shall have power, by and with the advice and consent of the Senate, to make treaties, provided two-thirds of the senators present concur ; and he shall nominate, and by and with the advice and consent of the Senate shall appoint ambassadors, other public ministers and consuls, judges of the Supreme Court, and all other officers of the United States, whose appointments are not herein otherwise provided for, and which shall be established by law : but the Congress may by law vest the appointment of such inferior officers, as they think proper, in the President alone, in the courts of law, or in the heads of departments.

Filling of Vacancies. The President shall have power to fill up all vacancies that may happen during the recess of the Senate, by granting commissions which shall expire at the end of their next session.

SECTION 3. DUTIES OF THE PRESIDENT

Message ; Convening of Congress. He shall from time to time give to the Congress information¹ of the state of the Union, and recommend to their consideration such measures as he shall judge necessary and expedient ; he may, on extraordinary occasions, convene both houses, or either of them, and in case of disagreement between them with respect to the time of adjournment, he may adjourn them to such time as he shall think proper ; he shall receive ambassadors and other public ministers ; he shall take care that the laws be faithfully executed, and shall commission all the officers of the United States.

SECTION 4. IMPEACHMENT

Removal of Officers. The President, Vice-President, and all civil officers of the United States, shall be removed from office on impeachment for, and conviction of, treason, bribery, or other high crimes and misdemeanors.

¹ The President gives this information through a message to Congress at the opening of each session. Washington and John Adams read their messages in person to Congress. Jefferson, however, sent a written message to Congress. This method was followed until President Wilson returned to the earlier custom.

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ARTICLE III. JUDICIAL DEPARTMENT

SECTION I. UNITED STATES COURTS

Courts established; Judges. The judicial power of the United States shall be vested in one Supreme Court, and in such inferior courts as the Congress may from time to time ordain and establish. The judges, both of the Supreme and inferior courts, shall hold their offices during good behavior, and shall, at stated times, receive for their services a compensation which shall not be diminished during their continuance in office.

SECTION 2. JURISDICTION OF UNITED STATES COURTS

Federal Courts in General. The judicial power shall extend to all cases, in law and equity, arising under this Constitution, the laws of the United States, and treaties made, or which shall be made, under their authority ;—to all cases affecting ambassadors, other public ministers, and consuls ;—to all cases of admiralty and maritime jurisdiction ;—to controversies to which the United States shall be a party ;—to controversies between two or more States ;—between a State and citizens of another State ;¹—between citizens of different States ;—between citizens of the same State claiming lands under grants of different States, and between a State, or the citizens thereof, and foreign states, citizens or subjects.

Supreme Court. In all cases affecting ambassadors, other public ministers and consuls, and those in which a State shall be party, the Supreme Court shall have original jurisdiction. In all other cases before mentioned, the Supreme Court shall have appellate jurisdiction, both as to law and fact, with such exceptions and under such regulations as the Congress shall make.

Trials. The trial of all crimes, except in cases of impeachment, shall be by jury ; and such trial shall be held in the State where the said crimes shall have been committed ; but when not committed within any State, the trial shall be at such place or places as the Congress may by law have directed.

SECTION 3. TREASON

Treason defined. Treason against the United States shall consist only in levying war against them, or in adhering to their enemies, giving them aid and comfort.

¹ This has been modified by the Eleventh Amendment.

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No person shall be convicted of treason unless on the testimony of two witnesses to the same overt act, or on confession in open court.

Punishment. The Congress shall have power to declare the punishment of treason, but no attainder of treason shall work corruption of blood, or forfeiture, except during the life of the person attainted.

ARTICLE IV. RELATIONS OF THE STATES TO EACH OTHER

SECTION 1. OFFICIAL ACTS

Full faith and credit shall be given in each State to the public acts, records, and judicial proceedings of every other State. And the Congress may by general laws prescribe the manner in which such acts, records, and proceedings shall be proved, and the effect thereof.

SECTION 2. PRIVILEGES OF CITIZENS

The citizens of each State shall be entitled to all privileges and immunities of citizens in the several States.

Fugitives from Justice. A person charged in any State with treason, felony, or other crime, who shall flee from justice, and be found in another State, shall, on demand of the executive authority of the State from which he fled, be delivered up, to be removed to the State having jurisdiction of the crime.

Fugitive Slaves. No person¹ held to service or labor in one State, under the laws thereof, escaping into another, shall, in consequence of any law or regulation therein, be discharged from such service or labor, but shall be delivered up on claim of the party to whom such service or labor may be due.

SECTION 3. NEW STATES AND TERRITORIES

Admission of States. New States may be admitted by the Congress into this Union; but no new State shall be formed or erected within the jurisdiction of any other State; nor any State be formed by the junction of two or more States, or parts of States, without the consent of the Legislatures of the States concerned as well as of the Congress.

Territory and Property of United States. The Congress shall

¹ 'Person' here includes slave. This was the basis of the Fugitive Slave Laws of 1793 and 1850. It is now superseded by the Thirteenth Amendment, by which slavery is prohibited.

THE UNITED STATES

have power to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States ; and nothing in this Constitution shall be so construed as to prejudice any claims of the United States, or of any particular State.

SECTION 4. PROTECTION OF THE STATES

The United States shall guarantee to every State in this Union a republican form of government, and shall protect each of them against invasion, and on application of the Legislature, or of the Executive (when the Legislature cannot be convened) against domestic violence.

ARTICLE V. AMENDMENTS

How proposed ; how ratified. The Congress, whenever two-thirds of both houses shall deem it necessary, shall propose amendments to this Constitution, or, on the application of the Legislatures of two-thirds of the several States, shall call a convention for proposing amendments, which, in either case, shall be valid to all intents and purposes, as part of this Constitution, when ratified by the Legislatures of three-fourths of the several States, or by conventions in three-fourths thereof, as the one or the other mode of ratification may be proposed by the Congress ; provided that no amendment which may be made prior to the year one thousand eight hundred and eight shall in any manner affect the first and fourth clauses in the ninth section of the first article ; and that no State, without its consent, shall be deprived of its equal suffrage in the Senate.

ARTICLE VI. GENERAL PROVISIONS

Public Debt. All debts contracted, and engagements entered into, before the adoption of this Constitution, shall be as valid against the United States under this Constitution, as under the Confederation.

Supremacy of Constitution. This Constitution, and the laws of the United States which shall be made in pursuance thereof ; and all treaties made, or which shall be made, under the authority of the United States, shall be the supreme law of the land ; and the judges in every State shall be bound thereby, anything in the Constitution or laws of any State to the contrary notwithstanding.

Official Oath ; Religious Test. The senators and representatives before mentioned, and the members of the several State Legislatures, and all executive and judicial officers, both of the United States and of the several States, shall be bound by oath or affirmation

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to support this Constitution ; but no religious test shall ever be required as a qualification to any office or public trust under the United States.

ARTICLE VII. RATIFICATION OF THE CONSTITUTION

Ratification. The ratification of the Conventions of nine States shall be sufficient for the establishment of this Constitution between the States so ratifying the same.

Done in convention, by the unanimous consent of the States present, the seventeenth day of September, in the year of our Lord one thousand seven hundred and eighty-seven, and of the independence of the United States of America the twelfth.

In witness whereof, we have hereunto subscribed our names.¹

GEORGE WASHINGTON,

President, and Deputy from Virginia

NEW HAMPSHIRE

JOHN LANGDON
NICHOLAS GILMAN

MASSACHUSETTS

NATHANIEL GORHAM
RUFUS KING

CONNECTICUT

WILLIAM SAMUEL
JOHNSON
ROGER SHERMAN

NEW YORK

ALEXANDER HAMIL-
TON

NEW JERSEY

WILLIAM LIVINGSTON
DAVID BREARLEY
WILLIAM PATERSON
JONATHAN DAYTON

PENNSYLVANIA

BENJAMIN FRANKLIN
THOMAS MIFFLIN
ROBERT MORRIS
GEORGE CLYMER
THOMAS FITZSIMONS
JARED INGERSOLL
JAMES WILSON
GOUVERNEUR MORRIS

DELAWARE

GEORGE READ
GUNNING BEDFORD,
Jr.
JOHN DICKINSON
RICHARD BASSETT
JACOB BROOM

MARYLAND

JAMES M'HENRY
DANIEL OF ST THOMAS
JENIFER
DANIEL CARROLL

VIRGINIA

JOHN BLAIR
JAMES MADISON, Jr.

NORTH CAROLINA

WILLIAM BLOUNT
RICHARD DOBBS
SPAIGHT
HUGH WILLIAMSON

SOUTH CAROLINA

JOHN RUTLEDGE
CHARLES C. PINCKNEY
CHARLES PINCKNEY
PIERCE BUTLER

GEORGIA

WILLIAM FEW
ABRAHAM BALDWIN

Attest : WILLIAM JACKSON, Secretary

¹ There were sixty-five delegates sent to the convention : ten did not attend ; sixteen declined or failed to sign ; thirty-nine signed. Rhode Island sent no delegates.

THE UNITED STATES

AMENDMENTS

Religion, Speech, Press, Assembly, Petition. ARTICLE I.¹ Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof ; or abridging the freedom of speech, or of the press ; or the right of the people peaceably to assemble, and to petition the government for redress of grievances.

Militia. ARTICLE II. A well-regulated militia being necessary to the security of a free State the right of the people to keep and bear arms shall not be infringed.

Soldiers. ARTICLE III. No soldier shall, in time of peace, be quartered in any house, without the consent of the owner ; nor in time of war but in a manner to be prescribed by law.

Unreasonable Searches. ARTICLE IV. The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no warrants shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

Criminal Prosecutions. ARTICLE V. No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a grand jury, except in cases arising in the land or naval forces, or in the militia, when in actual service in time of war and public danger ; nor shall any person be subject for the same offense to be twice put in jeopardy of life or limb ; nor shall be compelled in any criminal case to be a witness against himself, nor to be deprived of life, liberty, or property, without due process of law ; nor shall private property be taken for public use, without just compensation.

ARTICLE VI. In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation ; to be confronted with the witnesses against him ; to have

¹ These amendments were proposed by Congress and ratified by the legislatures of the several states, pursuant to the fifth article of the Constitution. The first ten were offered in 1789 and adopted before the close of 1791. They were for the most part the work of Madison. They are frequently called the Bill of Rights, as their purpose is to guard more efficiently the rights of the people and of the states.

CONSTITUTION

compulsory process for obtaining witnesses in his favor, and to have the assistance of counsel for his defense.

Suits at Common Law. ARTICLE VII. In suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved, and no fact tried by a jury shall be otherwise reëxamined in any court of the United States than according to the rules of common law.

Bail, Punishments. ARTICLE VIII. Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

Reserved Rights and Powers. ARTICLE IX. The enumeration in the Constitution of certain rights shall not be construed to deny or disparage others retained by the people.

ARTICLE X. The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.

Suits against States. ARTICLE XI.¹ The judicial power of the United States shall not be construed to extend to any suit in law or equity, commenced or prosecuted against any of the United States by citizens of another State, or by citizens or subjects of any foreign state.

Method of electing President and Vice-President. ARTICLE XII.² The electors shall meet in their respective States, and vote by ballot for President and Vice-President, one of whom, at least, shall not be an inhabitant of the same State with themselves; they shall name in their ballots the person voted for as President, and in distinct ballots the person voted for as Vice-President; and they shall make distinct lists of all persons voted for as President, and of all persons voted for as Vice-President, and of the number of votes for each, which list they shall sign and certify, and transmit sealed to the seat of the government of the United States, directed to the president of the Senate;—the president of the Senate shall, in the presence of the Senate and House of Representatives, open all the certificates, and the votes shall then be counted;—the person having the greatest number of votes for President, shall be the President, if such number be a majority of the whole number of electors appointed; and if no person have such majority, then from the persons having the highest numbers not exceeding three on the list of those voted for as President, the House of Representatives shall choose immediately, by ballot, the President. But in

¹ Proposed in 1794; adopted in 1798.

² Adopted in 1804.

THE UNITED STATES

choosing the President, the votes shall be taken by States, the representation from each State having one vote ; a quorum for this purpose shall consist of a member or members from two-thirds of the States, and a majority of all the States shall be necessary to a choice. And if the House of Representatives shall not choose a President whenever the right of choice shall devolve upon them, before the fourth day of March next following, then the Vice-President shall act as President, as in the case of the death or other constitutional disability of the President. The person having the greatest number of votes as Vice-President, shall be the Vice-President, if such number be a majority of the whole number of electors appointed ; and if no person have a majority, then from the two highest numbers on the list, the Senate shall choose the Vice-President ; a quorum for the purpose shall consist of two-thirds of the whole number of senators, and a majority of the whole number shall be necessary to a choice. But no person constitutionally ineligible to the office of President shall be eligible to that of Vice-President of the United States.

Slavery abolished. ARTICLE XIII.¹ *Section 1.* Neither slavery nor involuntary servitude, except as a punishment for crime, whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction.

Section 2. Congress shall have power to enforce this article by appropriate legislation.

Negroes made Citizens. ARTICLE XIV.² *Section 1.* All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States ; nor shall any State deprive any person of life, liberty, or property, without due process of law, nor deny to any person within its jurisdiction the equal protection of the laws.

Section 2. Representatives shall be apportioned among the several States according to their respective numbers, counting the whole number of persons in each State, excluding Indians not taxed. But when the right to vote at any election for the choice of electors for President and Vice-President of the United States, representatives in Congress, the executive or judicial officers of a State, or the members of the Legislature thereof, is denied to any of the male inhabitants of such State, being twenty-one years of age, and

¹ Adopted in 1865.

² Adopted in 1868.

CONSTITUTION

citizens of the United States, or in any way abridged, except for participation in rebellion or other crime, the basis of representation therein shall be reduced in the proportion which the number of such male citizens shall bear to the whole number of male citizens twenty-one years of age in such State.

Section 3. No person shall be a senator or representative in Congress, or elector of President or Vice-President, or hold any office, civil or military, under the United States, or under any State, who having previously taken an oath as a member of Congress, or as an officer of the United States, or as a member of any State Legislature, or as an executive or judicial officer of any State, to support the Constitution of the United States, shall have engaged in insurrection or rebellion against the same, or given aid or comfort to the enemies thereof. But Congress may, by a vote of two-thirds of each house, remove such disability.

Section 4. The validity of the public debt of the United States, authorized by law, including debts incurred for payment of pensions and bounties for services in suppressing insurrection or rebellion, shall not be questioned. But neither the United States nor any State shall assume or pay any debt or obligation incurred in aid of insurrection or rebellion against the United States, or any claim for the loss or emancipation of any slave; but all such debts, obligations, and claims shall be held illegal and void.

Section 5. The Congress shall have power to enforce, by appropriate legislation, the provisions of this article.

Negroes made Voters. ARTICLE XV.¹ *Section 1.* The rights of citizens of the United States to vote shall not be denied or abridged by the United States, or by any State, on account of race, color, or previous condition of servitude.

Section 2. The Congress shall have power to enforce this article by appropriate legislation.

Income Tax. ARTICLE XVI.² The Congress shall have power to lay and collect taxes on incomes from whatever source derived, without apportionment among the several States, and without regard to any census or enumeration.

ARTICLE XVII.² The Senate of the United States shall be composed of two Senators from each State, elected by the people thereof for six years; and each Senator shall have one vote. The electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State Legislatures.

¹ Adopted in 1870.

² Ratified in 1913.

THE UNITED STATES

Direct Election of Senators. When vacancies happen in the representation of any State in the Senate, the executive authority of such State shall issue writs of election to fill such vacancies: Provided, that the Legislature of any State may empower the Executive thereof to make temporary appointments until the people fill the vacancies by election as the Legislature may direct.

This amendment shall not be so construed as to affect the election or term of any Senator chosen before it becomes valid as part of the Constitution.

National Prohibition. ARTICLE XVIII.¹ *Section 1.* After one year from the ratification of this article the manufacture, sale, or transportation of intoxicating liquors within, the importation thereof into, or the exportation thereof from the United States and all territory subject to the jurisdiction thereof for beverage purposes is hereby prohibited.

Section 2. The Congress and the several States shall have concurrent power to enforce this article by appropriate legislation.

Section 3. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the Legislatures of the several States, as provided in the Constitution, within seven years from the date of the submission hereof to the States by the Congress.

Woman Suffrage. ARTICLE XIX.² *Section 1.* The right of citizens of the United States to vote shall not be denied or abridged by the United States or any State on account of sex.

Section 2. The Congress shall have the power to enforce this article by appropriate legislation.

¹ Ratified in 1919. In force in 1920.

² Ratified in 1920.

III

THE STATES OF THE UNION

No.	STATE	DATE OF ADMISSION	POPULATION, 1920	RANK	AREA	CAPITAL	LARGEST CITY
1	Delaware	Original States	223,003	46	1,965	Dover	Wilmington
2	Pennsylvania		8,720,017	2	44,832	Harrisburg	Philadelphia
3	New Jersey		3,155,900	11	7,514	Trenton	Newark
4	Georgia		2,895,832	10	58,725	Atlanta	Atlanta
5	Connecticut		1,380,631	31	4,820	Hartford	New Haven
6	Massachusetts		3,852,356	6	8,039	Boston	Boston
7	Maryland		1,449,661	27	9,941	Annapolis	Baltimore
8	South Carolina		1,683,724	26	30,495	Columbia	Charleston
9	New Hampshire		443,083	39	9,031	Concord	Manchester
10	Virginia		2,309,187	20	40,262	Richmond	Richmond
11	New York		10,384,829	1	47,654	Albany	New York
12	North Carolina		2,559,123	16	48,740	Raleigh	Charlotte
13	Rhode Island		604,397	38	1,067	Providence	Providence
14	Vermont		352,428	42	9,124	Montpelier	Burlington
15	Kentucky	1791	2,416,630	14	40,181	Frankfort	Louisville
16	Tennessee	1796	2,337,885	17	41,087	Nashville	Memphis
17	Ohio	1803	5,759,394	4	40,740	Columbus	Cleveland
18	Louisiana	1812	1,798,509	24	45,409	Baton Rouge	New Orleans
19	Indiana	1816	2,930,390	9	36,045	Indianapolis	Indianapolis
20	Mississippi	1817	1,790,618	21	46,362	Jackson	Meridian
21	Illinois	1818	6,485,280	3	56,043	Springfield	Chicago
22	Alabama	1819	2,348,174	18	51,279	Montgomery	Birmingham
23	Maine	1820	768,014	34	29,895	Augusta	Portland

THE STATES OF THE UNION—continued

No.	STATE	DATE OF ADMISSION	POPULATION, 1920	RANK	AREA	CAPITAL	LARGEST CITY
24	Missouri	1821	3,404,055	7	68,727	Jefferson City	St Louis
25	Arkansas	1836	1,752,204	25	52,525	Little Rock	Little Rock
26	Michigan	1837	3,668,412	8	57,480	Lansing	Detroit
27	Florida	1845	968,470	33	54,861	Tallahassee	Jacksonville
28	Texas	1845	4,663,228	5	262,398	Austin	San Antonio
29	Iowa	1846	2,404,021	15	55,586	Des Moines	Des Moines
30	Wisconsin	1848	2,632,067	13	55,256	Madison	Milwaukee
31	California	1850	3,426,861	12	155,652	Sacramento	San Francisco
32	Minnesota	1858	2,387,125	19	80,858	St Paul	Minneapolis
33	Oregon	1859	783,389	35	95,607	Salem	Portland
34	Kansas	1861	1,769,257	22	81,774	Topeka	Kansas City
35	West Virginia	1863	1,463,701	28	24,022	Charleston	Wheeling
36	Nevada	1864	77,407	48	109,281	Carson City	Reno
37	Nebraska	1867	1,296,372	29	76,808	Lincoln	Omaha
38	Colorado	1876	939,629	32	103,658	Denver	Denver
39	North Dakota	1889	645,680	37	70,183	Bismarck	Fargo
40	South Dakota	1889	636,547	36	76,868	Pierre	Sioux Falls
41	Montana	1889	548,889	40	146,201	Helena	Butte
42	Washington	1889	1,356,621	30	66,836	Olympia	Seattle
43	Idaho	1890	431,866	44	83,354	Boise	Boise
44	Wyoming	1890	194,402	47	97,594	Cheyenne	Cheyenne
45	Utah	1896	449,396	41	82,184	Salt Lake City	Salt Lake City
46	Oklahoma	1907	2,028,283	23	69,414	Oklahoma	Oklahoma
47	New Mexico	1912	360,350	43	122,503	Santa Fé	Albuquerque
48	Arizona	1912	333,903	45	113,810	Phoenix	Tucson

PRESIDENTS AND VICE-PRESIDENTS

IV

PRESIDENTS AND VICE-PRESIDENTS

No.	NAME	STATE	PARTY	YEARS IN OFFICE	VICE-PRESIDENT
1	George Washington	Va.	Fed.	1789-97	John Adams
2	John Adams	Mass.	Fed.	1797-1801	Thomas Jefferson
3	Thomas Jefferson	Va.	Rep.	1801-9	Aaron Burr George Clinton
4	James Madison	Va.	Rep.	1809-17	George Clinton Elbridge Gerry
5	James Monroe	Va.	Rep.	1817-25	Daniel D. Tompkins
6	John Q. Adams	Mass.	Rep.	1825-29	John C. Calhoun
7	Andrew Jackson	Tenn.	Dem.	1829-37	John C. Calhoun Martin Van Buren
8	Martin Van Buren	N. Y.	Dem.	1837-41	Richard M. Johnson
9	Wm. H. Harrison	Ohio	Whig	1841	John Tyler
10	John Tyler ¹	Va.	Whig	1841-45	
11	James K. Polk	Tenn.	Dem.	1845-49	George M. Dallas
12	Zachary Taylor	La.	Whig	1849-50	Millard Fillmore
13	Millard Fillmore ¹	N. Y.	Whig	1850-53	
14	Franklin Pierce	N. H.	Dem.	1853-57	William R. King
15	James Buchanan	Pa.	Dem.	1857-61	J. C. Breckinridge
16	Abraham Lincoln	Ill.	Rep.	1861-65	Hannibal Hamlin Andrew Johnson
17	Andrew Johnson ¹	Tenn.	Rep.	1865-69	
18	Ulysses S. Grant	Ill.	Rep.	1869-77	Schuyler Colfax Henry Wilson
19	Rutherford B. Hayes	Ohio	Rep.	1877-81	Wm. A. Wheeler
20	James A. Garfield	Ohio	Rep.	1881	Chester A. Arthur
21	Chester A. Arthur ¹	N. Y.	Rep.	1881-85	
22	Grover Cleveland	N. Y.	Dem.	1885-89	Thomas A. Hendricks
23	Benjamin Harrison	Ind.	Rep.	1889-93	Levi P. Morton
24	Grover Cleveland	N. Y.	Dem.	1893-97	Adlai E. Stevenson
25	William McKinley	Ohio	Rep.	1897-1901	Garrett A. Hobart Theodore Roosevelt
26	Theodore Roosevelt ¹	N. Y.	Rep.	1901-9	Chas. W. Fairbanks
27	William H. Taft	Ohio	Rep.	1909-13	James S. Sherman
28	Woodrow Wilson	N. J.	Dem.	1913-21	Thomas R. Marshall
29	Warren G. Harding	Ohio	Rep.	1921-	Calvin Coolidge

¹ Promoted from the Vice-Presidency on the death of the President.

THE UNITED STATES

V

POPULATION OF THE UNITED STATES INCLUDING OUTLYING POSSESSIONS. 1920 AND 1910

	1920	1910
United States with Outlying Possessions	117,857,509	101,146,530
Continental United States	105,708,771	91,972,266
Outlying Possessions	12,148,738	9,174,264
Alaska	54,899	64,356
American Samoa	8,056	7,251 ¹
Guam	13,275	11,806
Hawaii	255,912	191,909
Panama Canal Zone	22,858	62,810 ¹
Porto Rico	1,299,809	1,118,012
Military and naval, etc., service abroad.	117,238	55,608
Philippine Islands	10,350,640 ²	7,635,426 ³
Virgin Islands of the United States	26,051 ⁴	27,086 ⁵

¹ Population in 1912.

³ Population in 1903.

⁵ Population in 1911.

² Population in 1918.

⁴ Population in 1917.

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